

THE FEDERAL VOTING ASSISTANCE PROGRAM

Eighth Report



"You cannot adequately discharge your responsibilities of citizenship unless you are concerned about the sort of government we have at every level—and do something about it. You do that job by voting. . . ."

—Dwight D. Eisenhower

September 1971

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Prepared by: Department of Defense
Office of the Assistant Secretary of
Defense (Manpower and Reserve Affairs)

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PREFACE

As this Eighth Report will show, the Federal Voting Assistance Program is actively continuing its efforts to aid the absentee voter.

It was more than sixteen years ago when this program was established, following approval by Congress of the Federal Voting Assistance Act of 1955. In the wake of the original Act and its 1968 amendments, States proceeded to incorporate the Act's recommendations into their own election laws. Today thirty States have taken legislative actions which have substantially adopted the Act's recommended procedures. All fifty States have acted to ease absentee voting procedures and requirements for servicemen and women.

While complete adoption of the Act's recommendations has not yet been achieved throughout the nation, progress by the States has been made. Model State legislation has been prepared. Extensive State liaison is being conducted by a special Department of Defense task force, and rapport with State election officials and legislators is excellent. State adoption of the Act's recommendations has a high priority within the Federal Voting Assistance Program, and State liaison and assistance will continue to receive a maximum effort.

One of the results sought by the Federal Voting Assistance Program is increased absentee voting participation by those persons covered by the Act. Despite the easing of some State election law restrictions, low voting results have generally persisted, particularly within the Armed Forces, a transient and highly mobile voting population. These absentee voting statistics merely underscore a basic problem area which merits attention---the need for an intensified voter assistance effort, with emphasis on military personnel.

The Federal Voting Assistance Program has a responsibility to inform each potential absentee voter. While the desire to vote must originate with the individual, proper information must be available to foster that desire. Departments and agencies can draw up more specific policies and guidelines, provide for better dissemination of voting information and materials, and insure personal contact between the potential voter and voting assistance representatives. Only a vigorous and intensive voter information program will produce an informed and concerned elector who will want to cast his ballot.

For those persons covered by the Act, a vital step in the absentee voting process occurs with the delivery of the Federal Post Card Application to the qualified elector. The delivery of an FPCA to every absentee voter is basic to the success of the Federal Voting Assistance Program and should receive emphasis at every level.

A problem area concerns the location and number of non-Federally employed United States citizens who are temporarily residing abroad. As the report shows, steps are being taken to compile such information on this newest category of persons covered by the Act, with the intent that they, too, may be reached with voting information and assistance.

The problem areas named above are not new, nor are they insurmountable. With support and determination, their solution, as well as continued success for the Federal Voting Assistance Program, is assured.

Section I

BACKGROUND

This publication presents the Eighth Report of the Federal Voting Assistance Program, required by the Federal Voting Assistance Act of 1955, as amended (Chapter 30, Title 50, United States Code).

FEDERAL VOTING ASSISTANCE ACT OF 1955, AS AMENDED

This Act was passed by Congress for the purpose of enabling certain categories of person---otherwise eligible to vote, but absent from their place of voting residence--- to vote by absentee ballot in any primary, special or general election.

An unusual feature of this law is that it is recommendatory, rather than directive, in its message to the States. It recommends that the States adopt specific voting procedures for these categories of absent voters:

(1) Members of the Armed Forces while in the active service, and their spouses and dependents.

(2) Members of the Merchant Marine of the United States, and their spouses and dependents.

(3) Citizens of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia, and their spouses and dependents when residing with or accompanying them.

The categories of persons named above are those taken from the Act as it was amended in 1968. Section III of this report will discuss the changes made by these amendments. Unless otherwise stated, all reference hereafter will be to the amended Act. The words "as amended" will be omitted.

REQUIREMENT FOR THIS REPORT

In addition to its other provisions, the Act requires that a report be submitted in odd-numbered years to the President and Congress.

The Act specifies that this report cover the following four areas:

(1) The administration of Federal responsibilities authorized in the Act,

(2) The progress of the States in carrying out the recommendations contained in the Act,

(3) Statistical data relating to absentee voting, and

(4) Such other information as the Act's administrator may consider appropriate.

ORGANIZATION OF THIS REPORT

This report on the Federal Voting Assistance Program has been compiled in five sections.

In addition to this section, the report presents four sections corresponding to the four required reporting areas stated above.

Section II

ADMINISTRATION OF FEDERAL RESPONSIBILITIES

Title II of the Act fixes responsibilities of the Federal government for discharging the Act's provisions.

One such responsibility is the designation of officials to administer the Federal actions required by the Act.

PRESIDENTIAL DESIGNEE

The Act authorizes the President to designate the head of any executive department or agency as the Act's administering official, or "Presidential designee." This official coordinates actions necessary to carry out the Federal responsibilities of the Act.

In Executive Order 10646, issued on November 22, 1955, President Eisenhower named the Secretary of Defense as the "Presidential designee." This designation is still effective and the responsibility for administering the provisions of the Act remains with the Secretary of Defense.

In the 1955 Executive Order, the Secretary of Defense was authorized to "delegate any or all of the functions, responsibilities, powers, authority or discretion devolving upon him in consequence of this order to any person or persons within the Department of Defense."

With this authorization, the Secretary of Defense has delegated to the Assistant Secretary of Defense (Manpower and Reserve Affairs) the authority to administer the Federal Voting Assistance Program. This official is therefore the principal staff assistant to the Secretary of Defense in the field of voting assistance.

COLLECTION AND DISSEMINATION OF VOTING INFORMATION

Another important Federal responsibility is the collection of current absentee voting information from each of the States. This information includes election dates, officers to be elected, constitutional amendments and other proposals, absentee registration and voting procedures, and other election data.

This voting information is compiled annually by staff personnel within the Office of the Assistant Secretary of Defense (M&RA), with the cooperation of State officials and election agencies. Voting information to support the Federal Voting Assistance Program is then provided to departments and agencies of the Executive Branch to supplement their voting assistance efforts.

This voting information is provided through many channels to persons covered by the Federal Voting Assistance Program. Perhaps the widest dissemination of procedural voting data is achieved in the publication Voting Information - 197(), which is published for general election years.

ASSISTANCE FROM OTHER EXECUTIVE DEPARTMENTS

The Act authorizes the Presidential designee to request assistance from other executive departments and agencies in effectuating the Act's purposes and solicits the cooperation of all government officials in expediting the delivery and return of voting materials used by persons to whom the Act is applicable. These agencies and departments participate in the Federal Voting Assistance Program and have their own individual programs for assisting personnel under their cognizance who are covered by the Act.

As requested by the Presidential designee, the Attorney General cooperates with and advises the Council of State Governments in the formulation of drafts of State legislation designed to implement the Act's recommendations.

The General Services Administration prints and distributes the standard post card forms used to register and request absentee ballots---the Federal Post Card Application. (This card is printed as Standard Form 76, "Post Card Application for Absentee Ballot.") The Act requires that these forms be in the hands of the persons concerned not later than August 15 before the election if the persons are outside the territorial limits of the United States and not later than September 15 before the election if they are inside the territorial limits of the United States.

Section III

PROGRESS OF THE STATES IN IMPLEMENTING THE ACT

This section concentrates on progress the States have made toward implementing the recommendations of the Act. It will discuss:

- (1) The coverage of persons in the original Act of 1955,
- (2) The changes made by amendments adopted in 1968,
- (3) The recommendations contained in the amended Act,
- (4) State implementation of the Act,
- (5) Legislative considerations remaining for each State, and
- (6) Legal residence in a State for members of the Armed Forces and their families who are residing on a military reservation in that State.

THE COVERAGE OF PERSONS IN THE ORIGINAL ACT OF 1955

The Federal Voting Assistance Act of 1955—Public Law 84-296—did not include all of the persons subsequently brought in by amendments adopted in 1968. The original Act recommended that the States facilitate absentee voting for:

- (1) Members of the Armed Forces while in the active service, and their spouses and dependents;
- (2) Members of the Merchant Marine of the United States, and their spouses and dependents;
- (3) Civilian employees of the United States in all categories serving outside the territorial limits of the several States of the United States and the District of Columbia, and their spouses and dependents when residing with or accompanying them; and

(4) Members of religious groups or welfare agencies assisting members of the Armed Forces, and their spouses and dependents.

CHANGES MADE BY THE AMENDMENTS OF 1968

In 1968, Congress passed two amendments to the Act of 1955.

The first amendment was Public Law 90-343. It modified the categories of absent persons covered by deleting the specific categories of government employees and members of religious groups or welfare agencies and inserting therefor a new, broader category of absent person—all U.S. citizens residing outside the territorial limits of the United States and the District of Columbia, plus their spouses and dependents when the latter reside with or accompany them.

With this amendment, the Act now covers:

(1) Members of the Armed Forces while in the active service, and their spouses and dependents;

(2) Members of the Merchant Marine of the United States, and their spouses and dependents; and

(3) Citizens of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them.

A second amendment in 1968 was Public Law 90-344. It made four changes to the original Act:

(1) It broadened the category of persons recommended to administer oaths.

(2) It recommended that members of the Armed Forces and their spouses and dependents, if otherwise eligible to register and vote, be allowed to acquire legal residence in a State notwithstanding their residence on a military reservation and that they be allowed to register and vote in local, State, and national elections.

(3) It required that the Federal Post Card Application be "delivered," as opposed to the earlier requirement for these cards to be "made available."

(4) It modified the form of the Federal Post Card Application, primarily to include the broadened coverage of persons.

RECOMMENDATIONS CONTAINED IN THE AMENDED ACT

Section 102 of the Act makes twelve recommendations designed to afford certain persons the opportunity to vote and to use the absentee balloting process to the greatest possible extent. Two distinct procedures emerge: (a) a simple, uniform procedure to facilitate absentee balloting for those persons covered by the Act and (b) a procedure to permit these persons, if their service or employment is completed and they return home too late to register for an election, to vote in that election despite their lateness for registration. These two procedures, in their simplest terms, are as follows:

(1) Use of the Federal Post Card Application.

This procedure pertains to absentee balloting and most of the Act's twelve recommendations outline how the procedure should work. The procedure is initiated when the absent voter (one of the persons named in the Act) sends the Federal Post Card Application, a prescribed form, to election officials in his home State. The Act recommends that the State waive registration for such a person and accept the card as an application for an absentee ballot. In the event the State does not waive registration, the Act recommends that the FPCA be accepted not only as an application for an absentee ballot, but also as (a) an application for registration or (b), if a special State registration form is required, as a request for the special form. In the latter case, that requiring a special State registration form, the Act recommends that this special form be mailed to the applicant in the same envelope with his absentee ballot and that the State permit the special registration form to be returned by the applicant with his completed ballot. The Act stresses that the States should mail immediately to FPCA users (a) a ballot, (b) the special registration form if one is required, (c) instructions for completing the ballot and, if necessary, for completing any special registration form, and (d) a self-addressed envelope.

(2) Waiver of Registration for Late Returnees.

This procedure, the second of the two, pertains to balloting, at the polling place, by personnel covered in the Act who have been honorably discharged from the Armed Forces or who have terminated their civilian service or employment overseas and who return to their home States too late to register for

the next ensuing election. The Act recommends that the States recognize the unusual circumstances of such a situation and permit such persons to vote in that election.

STATE IMPLEMENTATION OF THE ACT

An effective measure of State implementation of the Act can be obtained by determining whether or not a State has adopted these two recommended procedures. However, because most States have not adopted the procedures uniformly for all categories of persons covered by the Act, it is necessary to examine how they have been adopted for each category ---and sometimes how they have been adopted for sub-categories, as in the case of spouses and dependents.

The discussion below is a summary of how the States have implemented these two procedures, for each category of persons covered by the Act.

(1) Members of the Armed Forces While in the Active Service. Persons in this category are treated very favorably by all fifty States. Seventeen States have fully adopted the two procedures and twenty-five others have adopted the first. These States are shown in Figure III-1, page 23. Alabama, Kentucky, Louisiana, Nevada, and West Virginia have not fully implemented the first procedure. The three remaining States do not allow absentee voting in primary elections. Of the three, Massachusetts and New York have otherwise fully implemented the two procedures, while Delaware has implemented the first. Of special note is that Mississippi requires each member of the Armed Forces (as it does all absentee voters) to return his voted ballot to a registered voter of his home precinct, for personal delivery to the polls on election day; Louisiana requires the member to be absent from the State to register by absentee process.

(2) Spouses and Dependents of Members of the Armed Forces. The second procedure is not clearly applicable to spouses and dependents. Twenty-eight States have implemented the first procedure for this category of absent persons. Five other States have implemented the first procedure, provided that the spouse and dependents reside with or accompany the member. See Figure III-2, page 23. Of the remaining seventeen States, Arizona, Indiana, and Wisconsin have broad absentee registration and absentee voting methods for all of their absent residents; however, these States do not follow the recommended procedure (use of the FPCA). The remaining fourteen States have limited absentee registration and absentee voting. Their variance from the recommended procedure is summarized below:

Alabama—eligible dependents cannot vote by absentee ballot. Spouse must reside with or accompany member to vote by absentee process.

Delaware—absentee voting is not permitted in primary elections. Eligible dependents cannot register by absentee process.

Kentucky—simultaneous application for registration and for ballot cannot be accomplished. Spouse and dependents must reside with or accompany member to register by absentee process.

Louisiana—eligible dependents cannot register by absentee process. Spouses must be absent from the State to register by absentee process.

Massachusetts—absentee voting is not permitted in primary elections. Spouse and eligible dependents must reside with or accompany member to register by absentee process.

Mississippi—eligible dependents cannot register or vote by absentee process.

Missouri—eligible dependents cannot register by absentee process; spouse must reside with or accompany member to register by absentee process.

Nevada—spouse and eligible dependents must be absent from the State to register by absentee process. Simultaneous request for registration and ballot cannot be accomplished.

New York—absentee voting is not permitted in primary elections. Spouse and dependents must reside with or accompany member to use the FPCA.

North Carolina—eligible dependents cannot register by absentee process or vote by absentee process in primary elections.

Ohio—eligible dependents cannot register by absentee process. Spouse must reside with or accompany member to register by absentee process.

South Carolina—eligible dependents cannot register by absentee process. Spouse must accompany member to register by absentee process.

Virginia---eligible dependents cannot register or vote by absentee process.

West Virginia---simultaneous application for registration and absentee ballot cannot be accomplished.

(3) Members of the U.S. Merchant Marine. Twelve States have implemented the two procedures for members of the U.S. Merchant Marine. Twenty-eight States have implemented the first, but not the second. See Figure III-3, page 24. Of the remaining States, the following observations are made. Massachusetts has implemented the two procedures and Delaware has adopted the first; however, neither of these States permits absentee voting in primary elections. Kentucky, Nevada, and West Virginia have not fully implemented the first procedure. Michigan provides broad absentee registration and absentee voting methods for its absent residents; however, this State does not follow the recommended procedure (use of the FPCA). Although New York provides broad absentee registration and voting methods, they do not follow the recommended procedure and absentee voting is not permitted in primary elections. Alabama, Ohio, and Virginia require the member to register in person; and then all three allow him to vote by absentee ballot, but not by the recommended procedure.

(4) Spouses and Dependents of Members of the U.S. Merchant Marine. The second procedure is not clearly applicable to spouses and dependents. The first, however, has been adopted by twenty-seven States. An additional five States permit the FPCA procedure if the spouses and dependents reside with or accompany the member. See Figure III-4, page 24. Of the remaining States, Arizona, Indiana, Michigan, and Wisconsin provide broad absentee registration and absentee voting methods for all absent residents; however, these States do not follow the recommended procedure (use of the FPCA). The remaining fourteen States are the same as those listed under the paragraph on spouses and dependents of members of the Armed Forces and the comments made in that paragraph are pertinent here also.

(5) Citizens of the United States temporarily residing outside the territorial limits of the United States, and their spouses and dependents when residing with or accompanying them. Five States have fully implemented the two procedures for these persons. Twelve States have implemented the first, but not the second. See Figure III-5, page 25. This Figure depicts that thirty-three States have not implemented the procedures for all U.S. citizens residing abroad. However, some have implemented these procedures for certain classes of U.S. citizens abroad. Thirteen of these States

make provision, pursuant to the recommended procedures, for civilian employees of the United States Government who are assigned abroad and for their spouses and dependents when the latter reside with or accompany them. Three of these States fully implement the two procedures for the U.S. government employee overseas, while ten more States have implemented the first. These States have demonstrated a willingness to implement the Federal recommendations, but have not yet caught up with the 1968 amendment that extended coverage to all U.S. citizens temporarily residing abroad. See Figure III-6, page 25.

LEGISLATIVE CONSIDERATIONS REMAINING FOR EACH STATE

The preceding analysis presented the categories of persons covered by the Act and showed progress the States have made in implementing the two procedures for each category. The following State-by-State analysis presents the legislative or administrative considerations still remaining if each State is to implement fully all twelve recommendations of the Act for every category of person covered by its provisions. The analysis was prepared based on the latest available supplements to State election laws and on the latest information available to the Department of Defense concerning State administrative action to implement the Act.

Alabama---(a) Allow spouses and dependents (to include all dependents and not just children) of members of the Armed Forces to vote by absentee process pursuant to the Act by removing the requirement that spouses reside with the members and by extending the voting franchise to dependents; (b) Allow members of the U.S. Merchant Marine and their spouses and dependents to register and vote by absentee process pursuant to the Act; (c) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (d) Provide for simultaneous registration and request for ballot or include registration materials with the ballot; (e) Adopt the oath recommendation; (f) Adopt the recommended envelope design; and (g) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

Alaska---Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

Arizona—(a) Allow spouses and dependents of members of the Armed Forces and the U.S. Merchant Marine to register and vote by absentee process pursuant to the Act; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; and (c) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

Arkansas—Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

California—Adopt the oath recommendation.

Colorado—(a) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election and (b) Adopt the oath recommendation.

Connecticut—(a) Allow citizens of the U.S. temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register by absentee process pursuant to the Act; (b) Allow persons who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (c) Adopt the oath recommendation.

Delaware—(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Allow absentee-process voting in primary and special elections, pursuant to the Act, for all categories of persons covered by the Act; (c) Allow dependents of members of the Armed Forces and U.S. Merchant Marine to register by absentee process pursuant to the Act; (d) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; (e) Adopt the oath recommendation; and (f) Adopt the recommended envelope design.

Florida—(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by

absentee process pursuant to the Act; (b) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (c) Adopt the oath recommendation.

Georgia---(a) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election and (b) Adopt the oath recommendation. (Note: For the unregistered applicant a blank registration card is included with the absentee ballot; however, the completed registration card must be returned to election officials at least 50 days before the election.)

Hawaii---Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

Idaho---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; and (b) Adopt the oath recommendation.

Illinois---(a) Allow dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote pursuant to the Act by removing the requirement that these dependents reside with or accompany the members; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (c) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (d) Adopt the oath recommendation.

Indiana---(a) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant

to the Act; (c) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; (d) Adopt the oath recommendation; and (e) Adopt the recommended envelope design.

Iowa---None.

Kansas---(a) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act by removing the requirement that spouses and dependents reside with the members; (b) Expand the State's statutory definition of "dependents" to include all dependents and not just spouses, sons, and daughters; (c) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (d) Adopt the oath recommendation.

Kentucky---(a) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act by removing the requirement that spouses and dependents reside with the members; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (c) Provide for simultaneous registration and request for ballot or include registration materials with the ballot; (d) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (e) Adopt the oath recommendation.

Louisiana---(a) Allow members of the Armed Forces and their spouses, and members of the U.S. Merchant Marine and their spouses, to register by absentee process pursuant to the Act by removing the requirement that they be outside the State; (b) Allow dependents of members of the Armed Forces and U.S. Merchant Marine to register by absentee process pursuant to the Act; (c) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (d) Provide for simultaneous registration and request for ballot or include registration materials with the ballot; (e) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned

home too late to register, to vote at the next ensuing election; (f) Adopt the oath recommendation; and (g) Adopt the recommended envelope design.

Maine---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (c) Adopt the oath recommendation.

Maryland---(a) Allow persons who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election and (b) Adopt the recommended envelope design.

Massachusetts---(a) Allow absentee-process voting in primary elections, pursuant to the Act, for all categories of personnel covered by the Act; (b) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote pursuant to the Act by removing the requirement that spouses and dependents reside with or accompany the members; (c) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; and (d) Adopt the oath recommendation.

Michigan---(a) Allow members of the U.S. Merchant Marine and their spouses and dependents to register and vote by absentee process pursuant to the Act; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (c) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late register, to vote at the next ensuing election; (d) Adopt the oath recommendation; and (e) Adopt the recommended envelope design.

Minnesota---(a) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (b) Adopt the oath recommendation.

Mississippi---(a) Allow spouses of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act by removing the requirements that spouses be absent from the State and reside with the members; (b) Allow dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act; (c) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (d) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; (e) Adopt the oath recommendation; and (f) Adopt the recommended envelope design. (Note: The voted absentee ballot must be sent to a qualified elector in the State for personal delivery to the polling place.)

Missouri---(a) Allow spouses of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act by removing the requirement that spouses reside with the members; (b) Allow dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act; (c) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (d) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (e) Adopt the oath recommendation.

Montana---None.

Nebraska---(a) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (b) Adopt the oath recommendation.

Nevada---(a) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act by removing the requirement that spouses and dependents reside outside the boundaries of the State; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (c) Provide for simultaneous registration and request for ballot or include registration materials with the ballot; (d) Allow persons

who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; (e) Adopt the oath recommendation; and (f) Adopt the recommended envelope design.

New Hampshire---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; and (b) Adopt the oath recommendation. (Note: The ballot is mailed by election officials only 20 days prior to election.)

New Jersey---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Allow persons who have terminated their employment and have returned home too late to register, to vote at the next ensuing election; and (c) Adopt the oath recommendation.

New Mexico---Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

New York---(a) Allow absentee-process voting in primary elections, pursuant to the Act, for all categories of persons covered by the Act; (b) Allow spouses and dependents of members of the Armed Forces to vote by absentee process pursuant to the Act by removing the requirement that spouses and dependents accompany or be with the members; (c) Allow members of the U.S. Merchant Marine and their spouses and dependents to register and vote by absentee process pursuant to the Act; (d) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; and (e) Allow persons who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

North Carolina---(a) Allow dependents of members of the Armed Forces and the U.S. Merchant Marine to register and vote by absentee process pursuant to the Act; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (c) Adopt the oath recommendation; and (d) Allow

persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

North Dakota---None.

Ohio---(a) Allow spouses of members of the Armed Forces to register and vote by absentee process pursuant to the Act by removing the requirements that spouses reside outside of the State and with or near such members; (c) Allow dependents of members of the Armed Forces to register and vote by absentee process pursuant to the Act; (c) Allow members of the U.S. Merchant Marine and their spouses and dependents to register and vote by absentee process pursuant to the Act; (d) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (e) Allow persons who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (f) Adopt the oath recommendation.

Oklahoma---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Allow persons who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (c) Adopt the oath recommendation.

Oregon---(a) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (b) Adopt the oath recommendation.

Pennsylvania---(a) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to vote by absentee process pursuant to the Act by removing the requirement that spouses and dependents reside with or accompany the members; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (c) Adopt the oath recommendation; and (d) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

Rhode Island---(a) Allow spouses and dependents (to include all dependents and not just children) of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act by removing the requirements that spouses and dependents reside outside the State and with the members; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; and (c) Adopt the oath recommendation.

South Carolina---(a) Allow spouses of members of the Armed Forces to register and vote by absentee process pursuant to the Act by removing the requirement that spouses reside with the members; (b) Allow dependents of members of the Armed Forces and the spouses and dependents of members of the U.S. Merchant Marine to register and vote by absentee process pursuant to the Act; (c) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (d) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; (e) Adopt the oath recommendation; and (f) Adopt the recommended envelope design.

South Dakota---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (c) Adopt the oath recommendation.

Tennessee---(a) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act by removing the requirement that spouses and dependents reside with or accompany the members; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (c) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (d) Adopt the oath recommendation.

Texas---(a) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election and (b) Adopt the oath recommendation.

Utah---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; (c) Adopt the oath recommendation; and (d) Adopt the recommended envelope design.

Vermont---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Adopt the oath recommendation; and (c) Adopt the recommended envelope design.

Virginia---(a) Allow dependents of members of the Armed Forces to register and vote by absentee process pursuant to the Act; (b) Allow members of the U.S. Merchant Marine and their spouses and dependents to register and vote by absentee process pursuant to the Act; (c) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (d) Allow persons who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; and (e) Adopt the oath recommendation.

Washington---Allow persons who have been honorably discharged from the Armed Forces or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

West Virginia---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Provide for simultaneous registration and request for ballot or include registration materials with the ballot; and (c) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election.

Wisconsin---(a) Allow spouses and dependents of members of the Armed Forces and U.S. Merchant Marine to register and vote by absentee process pursuant to the Act; (b) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; and (c) Adopt the oath recommendation.

Wyoming---(a) Allow U.S. citizens temporarily residing overseas, and their spouses and dependents when residing with or accompanying them, to register and vote by absentee process pursuant to the Act; (b) Allow persons who have been honorably discharged from the Armed Forces, or who have terminated their service or employment and have returned home too late to register, to vote at the next ensuing election; (c) Adopt the oath recommendation; and (d) Adopt the recommended envelope design.

LEGAL RESIDENCE ON A MILITARY RESERVATION

Section 104 of the Act recommends to each of the States that it permit members of the Armed Forces and their spouses and dependents, if otherwise qualified, to acquire legal residence in that State notwithstanding their residence on a military reservation and to vote in local, State, and national elections.

The right of a serviceman to establish legal residence in a State while living off a military installation was affirmed in the United States Supreme Court case, Carrington v. Rash, 380 U.S. 89 (1965).

The right of a serviceman to establish legal residence in a State while living on a military installation, however, remained unresolved; and the enactment of Section 104 attempted to achieve a uniform rule for these individuals among all of the States.

In October of 1968, court action was commenced by twelve residents of the National Institute of Health, a Federal reservation or enclave located within the geographical boundaries of the State of Maryland, because of a ruling by the Montgomery County Permanent Board of Registry that affected their right to register. The Board had ruled that these persons, because they lived on a Federal reservation or enclave, did not meet the residency requirements of the Maryland Constitution. In affirming the right of these residents of a Federal reservation to register and vote, the Supreme Court of the United States held that persons who are treated by the State as residents and who have a vital interest in electoral decisions cannot be denied the right to vote by reason of their residing on a Federal reservation or enclave.

This Supreme Court decision enhances the Federal recommendation of Section 104 of the Act by supporting the right of persons, who are otherwise qualified, to register and vote regardless of their physical location within the State. Accordingly, this decision has caused a re-examination of State Constitutions and laws by Attorneys General of a number of States. (Evans v. Cornman, 398 U.S. 419 (1970)).

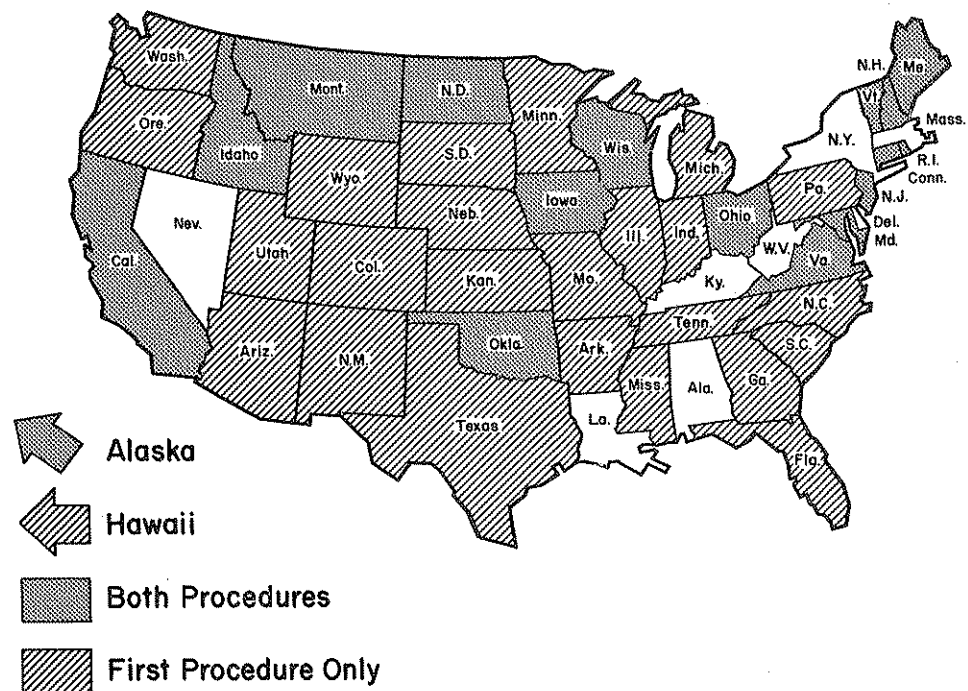


FIGURE III-1. State Implementation for Members of the Armed Forces
(For details, see pages 7-8.)

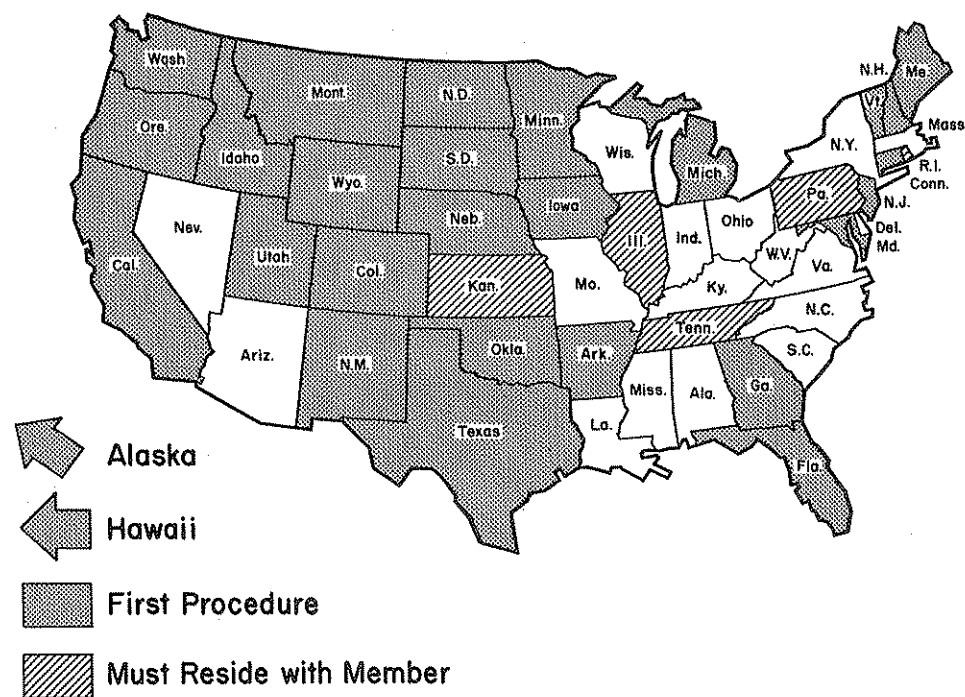


FIGURE III-2. State Implementation for Spouses and Dependents of Armed Forces Members
(For details, see pages 7-9.)

Section IV

STATISTICS AND ANALYSES---A SURVEY OF THE 1970 GENERAL ELECTIONS

The 1970 general elections provided an opportunity to gather statistical data concerning absentee voters covered by the Act. With the assistance of the Military Departments and other Federal agencies and departments, the Office of the Assistant Secretary of Defense (Manpower and Reserve Affairs) undertook such a survey.

CONDUCT: PURPOSE, TARGET GROUPS, RELIABILITY

Purpose of the survey was to determine:

(1) Success of the Federal Voting Assistance Program as measured by the number of eligible absentee voters who actually cast ballots in the 1970 general elections;

(2) Some measure of the reasons why absentee voters who were eligible to vote did not do so; and

(3) Discernible trends or highlights when results were compared with similar data from previous years.

The survey sought to reach:

(1) Members of the Armed Forces on active duty and their spouses, and

(2) Civilian employees of the Department of Defense and of other Federal agencies and departments who were temporarily residing abroad. (Specific offices participating were the Military Departments, the Department of State, the Department of the Treasury, the Department of the Interior, the Department of Health, Education and Welfare, the Agency for International Development, and the Peace Corps.)

A scientifically selected sample of about 36,000 individuals was made during November and December of 1970.

SURVEY RESULTS AND HOW THEY ARE PORTRAYED

The results of the survey have been reduced to a minimum number of charts for use in this report. The intent is to present charts and data which will succinctly depict an orderly progression:

(1) The number of eligible absentee voters in the groups surveyed;

(2) The number of these eligible absentee voters who actually cast a ballot in the 1970 elections;

(3) A comparison of absentee voter participation in the 1970 general elections with absentee voter participation in other off-year elections and in Presidential-year elections;

(4) An examination of the success attained in reaching several objectives of programs which were designed to inform eligible absentee voters about the 1970 elections; and

(5) An examination into some of the reasons why absentee voters who were eligible to vote did not do so.

PARTICIPATION BY ELIGIBLE ABSENTEE VOTERS

The survey found that 2,194,406 members of the Armed Forces (including the Coast Guard), 1,178,176 military spouses, and 78,789 Federal employees residing abroad were eligible to vote on 3 November 1970. Figure IV-1, page 32, tabulates the total eligible voters in each survey group and also gives a breakout of each total to show the number of persons who cast a ballot and the number who did not. Subsequent Figures will depict information concerning the survey groups as percentages of numbers taken from this table.

Figure IV-2, page 33, gives the percentage of eligible absentee voters in the groups surveyed who cast ballots in the 1970 elections. Thus, of the eligible voters in the Armed Forces, 26.5% voted; of the eligible military spouses, 25.4% voted; and of eligible Federal employees residing abroad, 25.7% voted.

For the Military Services, the United States Marine Corps showed the most successful participation by eligible absentee voters, with 38.5%. The Marine Corps was followed by the Air Force, with 26.9%; the Navy, with 26.6%; the Army, with 24.5%; and the Coast Guard, with 24.0%.

Figure IV-3, page 34, depicts Armed Forces participation in general elections for the period 1956 through 1970. It will be noted that the participation figures for Presidential election years are greater than participation figures for non-Presidential election years. The difference parallels a like difference for all voters in the United States for these elections. The difference must be attributed to greater interest by eligible voters in Presidential elections and perhaps to intensified informational coverage by all communications media in those years.

PROGRAMS DESIGNED TO HELP THE ABSENTEE VOTER

The survey produced some data which could be used to measure the degree to which programs designed to reach eligible absentee voters serving in the Armed Forces and with Federal agencies abroad succeed in two of their goals: (1) that of informing the individual of his rights and responsibilities as a voter and (2) that of furnishing him an application for an absentee ballot (a Federal Post Card Application).

Armed Forces personnel and Federal employees residing abroad were all asked:

(1) Were you officially advised of your rights, privileges, and responsibilities as a voter prior to the November 1970 elections? 57.9% of the eligible voters in the military and 56.1% of the Federal employees answered yes.

(2) Were you issued a Federal Post Card Application (SF 76) prior to the November 1970 general election? 41.3% of the eligible voters in the military and 29.3% of the Federal employees answered yes.

These data are depicted for the personnel surveyed in Figure IV-4, page 35, and Figure IV-5, page 36.

The data were compared to the actual voting participation shown for the military survey groups in Figure IV-2, page 33. The success attained in dissemination of information concerning "your rights, privileges, and responsibilities as a voter" seems to bear a direct relationship to the degree of voter participation evidenced by each of the Services. A like relationship of the data concerning dissemination of the Federal Post Card Application cannot be established; however, the fact remains that in-hand delivery of the FPCA is directed for all military persons and yet 58.7% of the eligible members of the Armed Forces indicated that they did not receive an FPCA.

The above comparisons, although inconclusive and not truly reflecting the proportions of the aggressive programs for voting orientation that each of the Military Services maintains, nonetheless indicate that additional effort must be expended if the Armed Forces are to reach every eligible absentee voter with timely voting information and materials.

THE ELIGIBLE ABSENTEE VOTER WHO DID NOT VOTE

The heart of the Federal Voting Assistance Program is to reach certain eligible absentee voters with timely voting information and to assist these individuals with the procedures for voting by absentee ballot. No one can force an individual to vote, of course. Nor should they. What can be done, however, about the eligible absentee voter who did not cast his ballot in the 1970 elections and who may not cast a ballot in future elections?

The survey concentrated on the eligible military non-voter of 1970 to determine what might be an answer to this question.

Of the eligible absentee voters in uniform who did not vote, 17.0% indicated that they applied for an absentee ballot. They took the first step toward casting a ballot. A majority of these individuals claimed, however (Figure IV-6, page 37), that they did not receive the ballots they requested. This segment of the non-voter group can certainly be helped and should be helped. That help must come from election officials who handle and process absentee voter applications and from agencies and offices which advise and assist absentee voters concerning application procedures and dates.

The burden lies fairly on election officials to speed their processing of absentee applications and to return ballots promptly. The Act recommends that the States:

Authorize and instruct the State or local election officials, upon receipt of the post card application provided . . . to mail immediately to the applicant a ballot, instructions for voting and returning the ballot, and a self-addressed envelope. . . .

Provide that absentee ballots will be available for mailing to the applicant as soon as practicable before the last date on which such ballot will be counted.

The burden does not lie completely upon election officials, however. The eligible absentee voter must submit his application in a timely manner, to meet deadlines established by

his State---and here his unit or agency should help him. For that purpose, information concerning election dates and absentee voting eligibility and procedures, to include deadline dates for submission of applications for registration and balloting, must be readily available to all eligible personnel. The Department of Defense issues a pamphlet in even numbered years which summarizes such information and which is used by the Armed Forces in their absentee voter assistance programs. The pamphlet is also used widely by Federal agencies and departments in their own absentee voter programs. This pamphlet is not, of course, the only source for the dissemination of voting information. Communications media of many kinds carry election news and information. For example, some 440 radio and TV stations and 1,800 base newspapers disseminate general voting information to military personnel and their dependents. The point to be made is this: All available means must be used to insure that the eligible absentee voter is informed concerning timely submission of his application for registration and a ballot.

THE ELIGIBLE VOTER WHO DID NOT APPLY FOR A BALLOT

The majority of eligible military absentee voters who did not vote in 1970 stated that they did not apply for an absentee ballot. Here an effort was made to determine some of the reasons lying behind this failure to apply for a ballot. The following questions were asked, with results as shown:

(1) Was the fact that you lacked information about candidates/issues a reason in your decision not to vote? 62.8% answered yes. (Figure IV-7, page 38.)

(2) Was the fact that you were not interested in the election a reason in your decision not to vote? 25.1% answered yes. (Figure IV-8, page 39.)

(3) Was the fact that you were unable to register in person a reason for your not voting? 25.6% answered yes. (Figure IV-9, page 40.)

From the answers given, an obvious conclusion can be drawn: Information---its absence or its presence---is a big factor in the individual's decision to vote by absentee ballot. Some, at least, of the military non-voters in 1970 would have voted had they had additional information---and, no doubt, additional help and assistance.

Obviously, some of the information the eligible voter in this category would like to have had in 1970 is of a partisan nature, concerning the pros and cons of choice between candidates and issues. A voting assistance program dedicated to furnishing non-partisan information and assistance to eligible absentee voters cannot, and should not, enter this field. The individual absentee voter must be prepared to make inquiries of his own to obtain the pro-and-con viewpoint on election alternatives---from election officials in his home State, from political parties, from organizations such as the League of Women Voters (which is itself non-partisan), and from his friends and neighbors and relatives and newspapers back home. He has this right. It need only be made known to him, if he is not sure.

The eligible absentee voter's desire for information delivered from a partisan or pro-and-con viewpoint does not overshadow, of course, his general desire and need for factual voting information and for help and assistance of the kind which the Federal Voting Assistance Program can provide him. That information---and that help and assistance---must reach him and be known to him. The survey would indicate that success in this area is not complete.

A quarter of the non-voting military eligibles stated that one of the reasons for their not voting was their inability to register in person. In short, they were absent from their home States. Their reason for not voting is one which might easily disappear if more States adopted the simplest possible absentee voting procedures and requirements, as recommended by the Act.

	Total Eligibles	Eligibles Who Voted	Eligibles Not Voting
Armed Forces	2,194,406	580,999	1,613,407
Army	(938,226)	(229,618)	(708,608)
Navy	(499,609)	(132,863)	(366,746)
Marine Corps	(134,709)	(51,819)	(82,890)
Air Force	(595,690)	(160,421)	(435,269)
Coast Guard	(26,172)	(6,278)	(19,894)
Military Spouses	1,178,176	268,305	909,871
Federal Employees	78,789	20,217	58,572

FIGURE IV-1. Eligible Voters in the Survey Groups (November 1970)

Did you vote in the November 1970 general election ?
(Affirmative answers.)

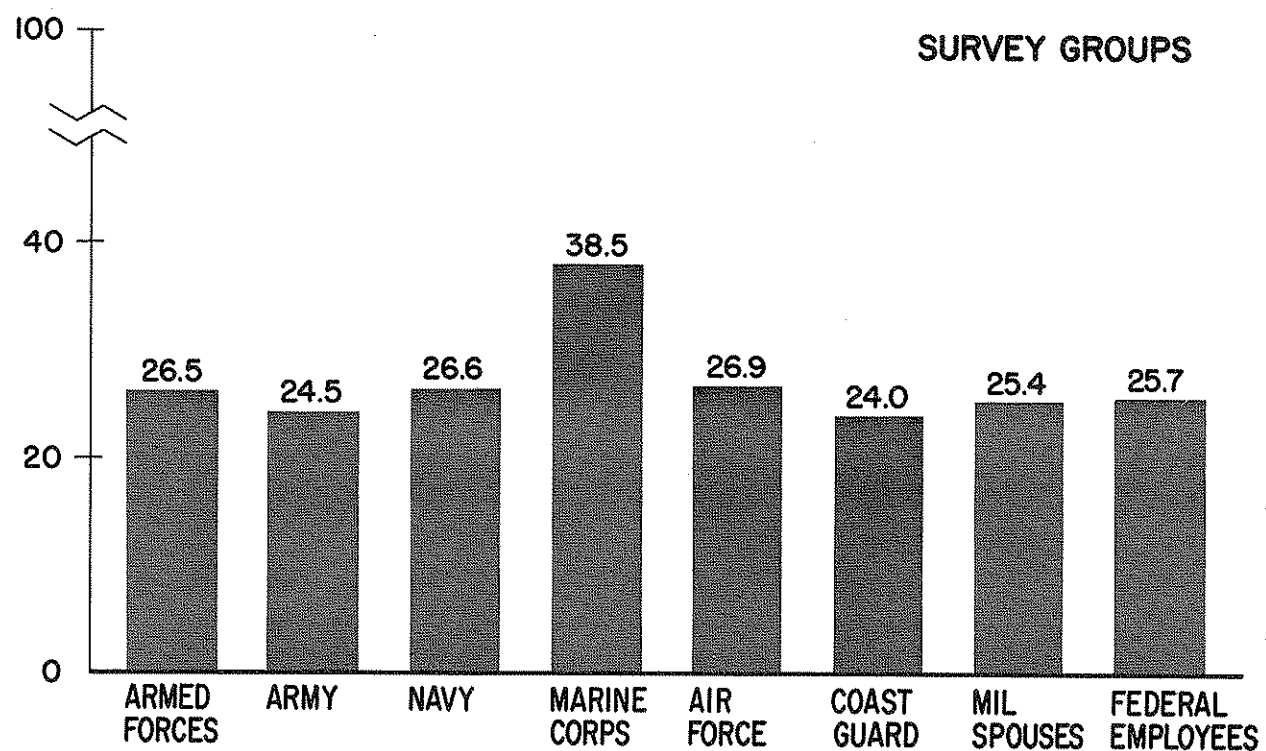
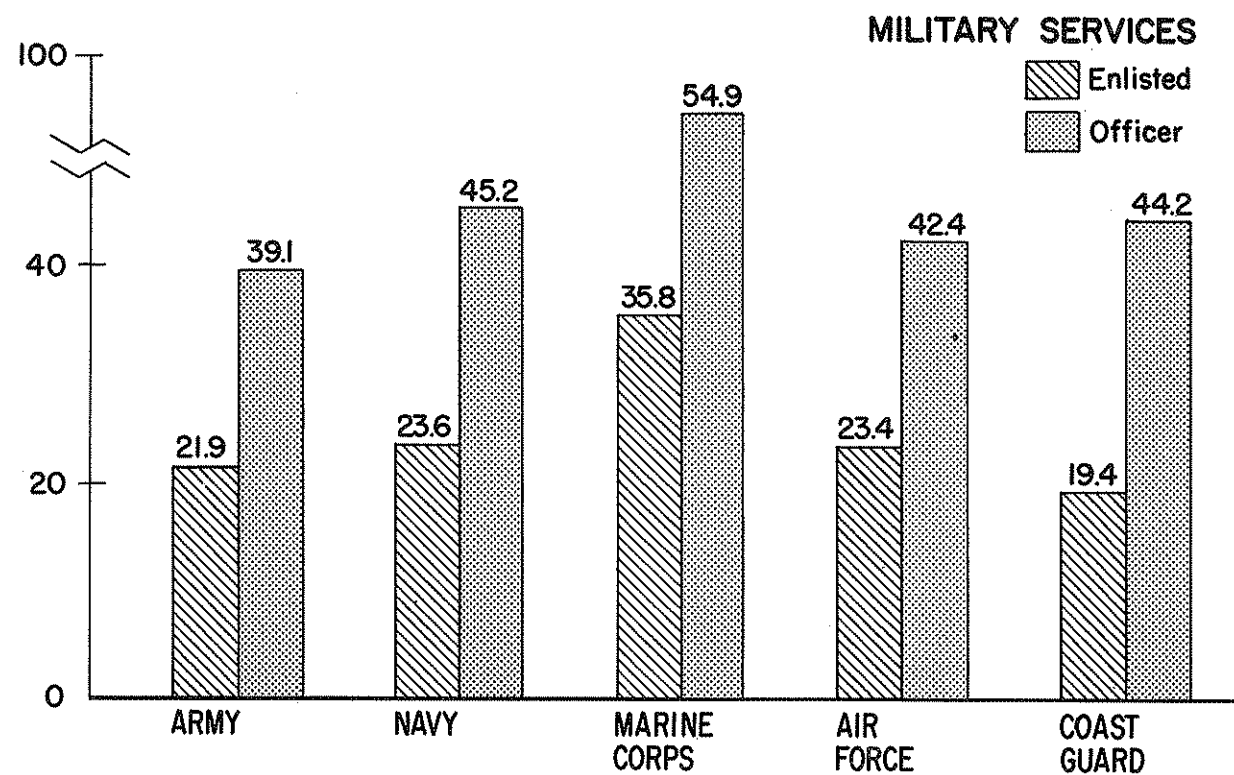
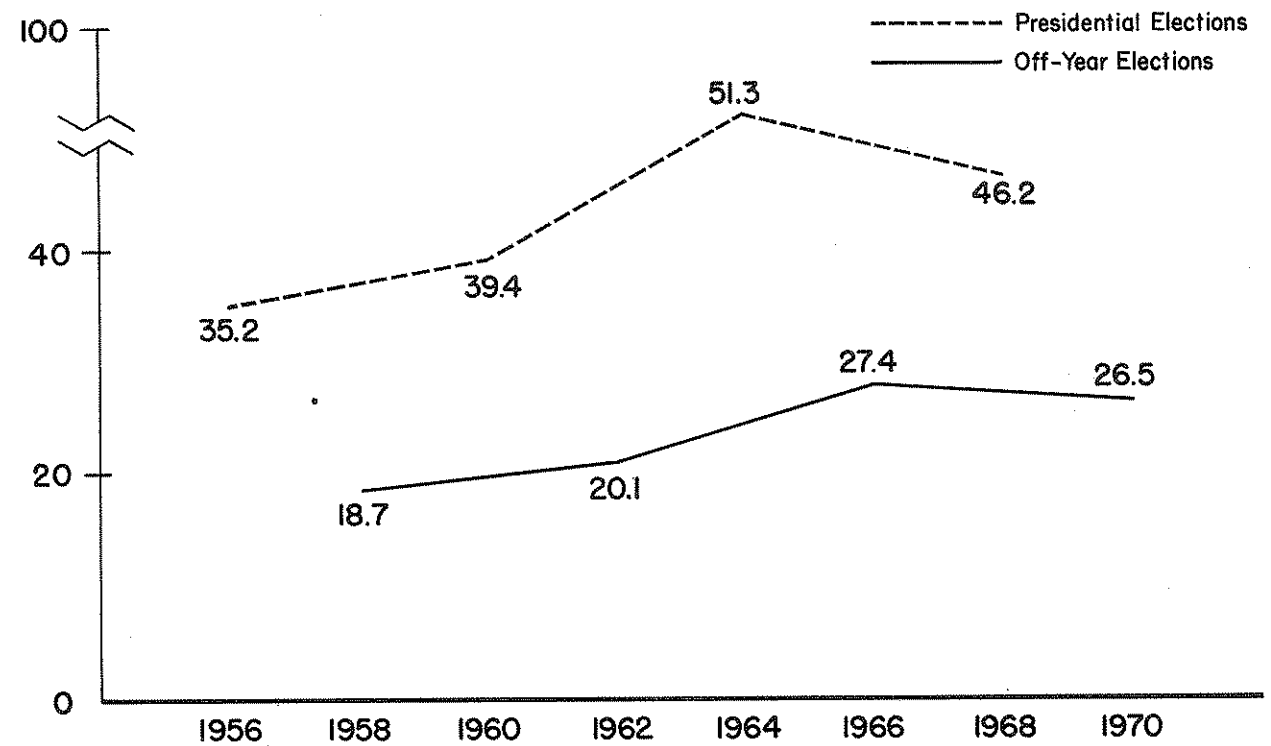


FIGURE IV-2. Eligible Voters Who Cast Ballots



Year	Total Eligible	Number Who Voted
1956	1,873,880	661,026
1958	2,016,148	377,867
1960	1,866,597	735,019
1962	1,986,664	398,634
1964	1,967,520	1,009,311
1966	2,274,056	623,292
1968	2,473,000	1,142,600
Prior to 1956: 1942 Less than one percent of 5,000,000 eligible servicemen 1944 30% of 9,000,000 eligible servicemen 1952 Approximately 15% of about 3,500,000 eligible servicemen		

Source: First through Seventh Biennial Reports

FIGURE IV-3. Armed Forces Voting Participation, 1956 Through 1970

Were you officially advised of your rights, privileges, and responsibilities as a voter prior to the 1970 elections?
(Affirmative answers.)

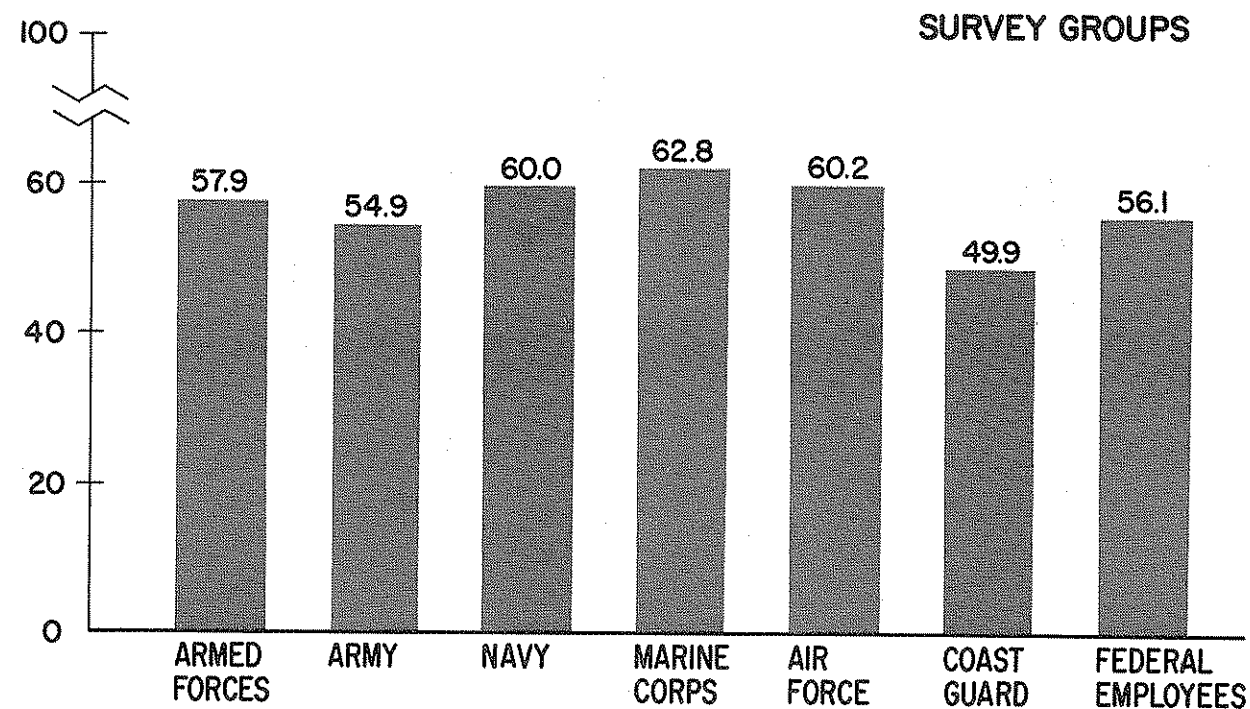
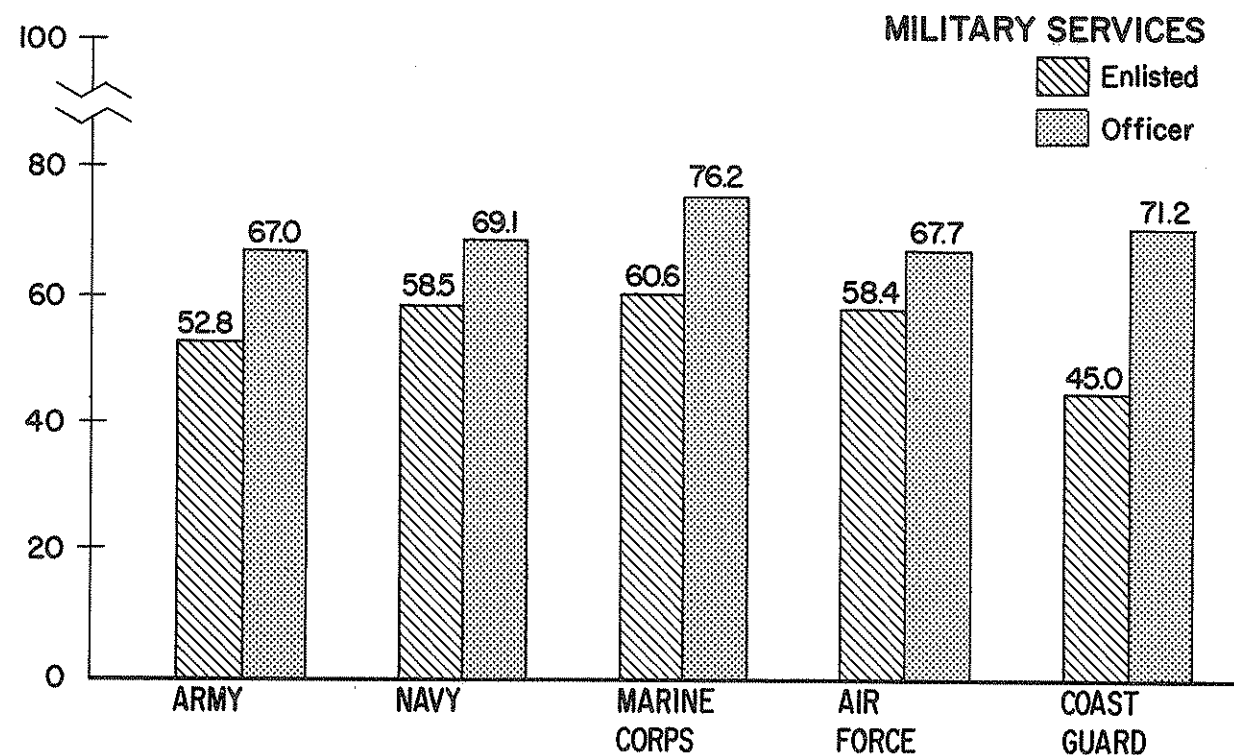


FIGURE IV-4. Eligibles Advised of Voting Rights

Were you issued a Federal Post Card Application for absentee ballot (SF 76) prior to the 1970 election ?
(Affirmative answers.)

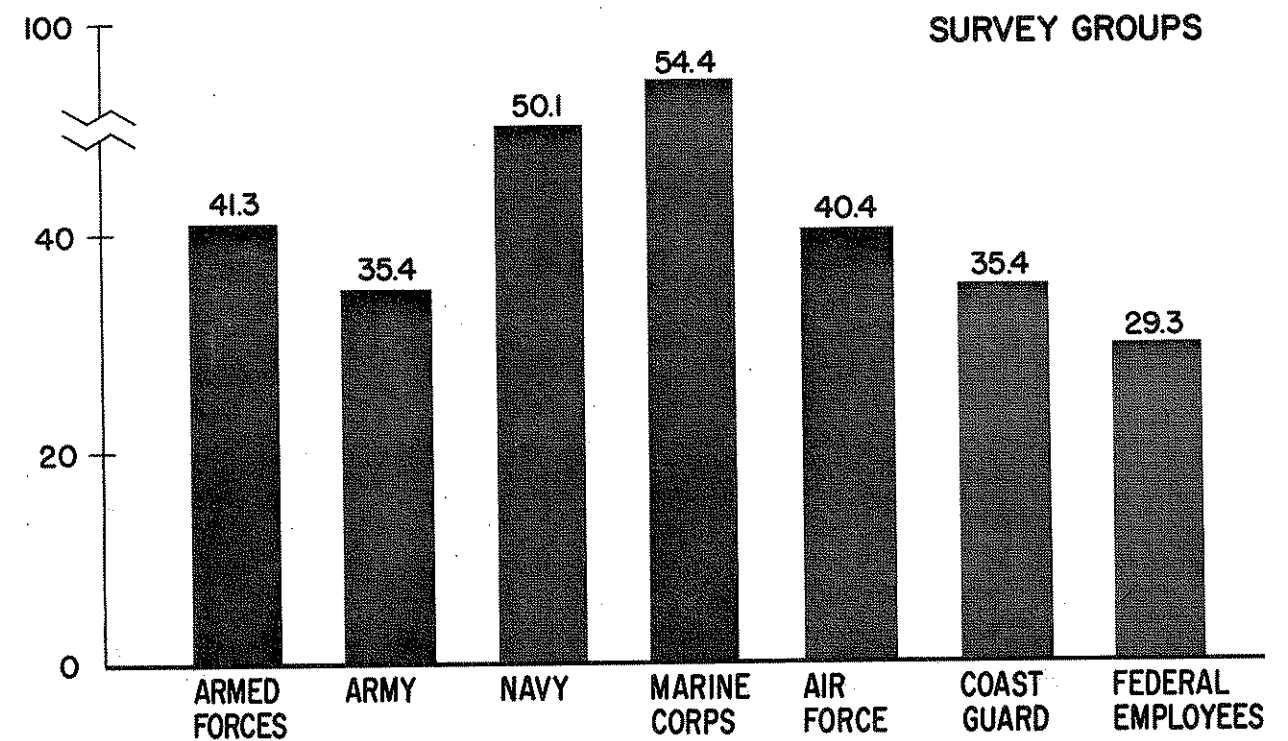
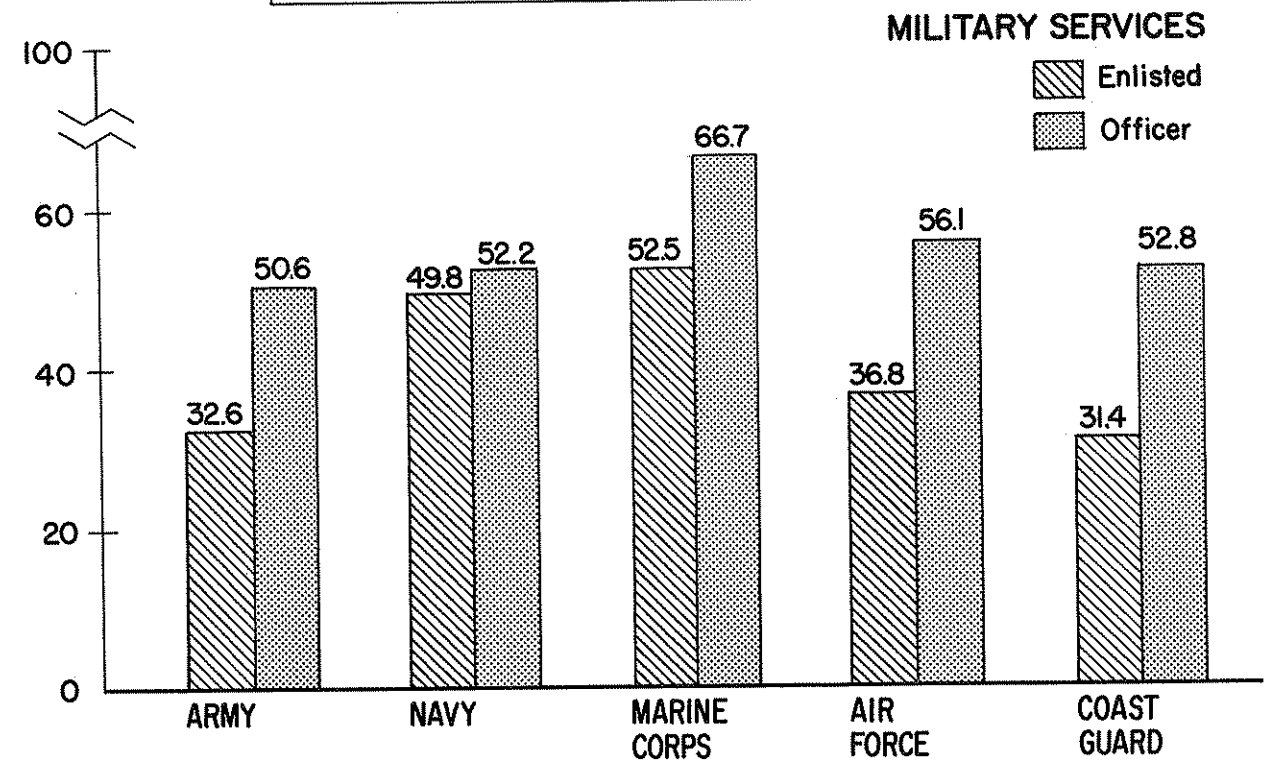


FIGURE IV-5. Eligibles Who Received Federal Post Card Application

PERCENTAGE OF ELIGIBLE NON-VOTERS

Did not request
absentee ballot

Requested ballot and
received it in time,
but did not vote

Requested ballot and
received it, but not
in time to vote

Requested ballot, but
did not receive it

81.1	83.1	75.7	86.8	86.5	83.0
4.4	6.3	8.0	3.8	4.5	4.9
2.2	2.4	3.6	1.5	1.1	2.1
12.3	8.2	12.7	7.9	7.9	10.0
100	100	100	100	100	100
ARMY	NAVY	MARINE CORPS	AIR FORCE	COAST GUARD	OVERALL

FIGURE IV-6. Request By Non-Voters, Eligible To Vote, For a Ballot

Was the fact that you lacked information about the candidates/issues a reason in your decision not to vote ?
(Affirmative answers.)

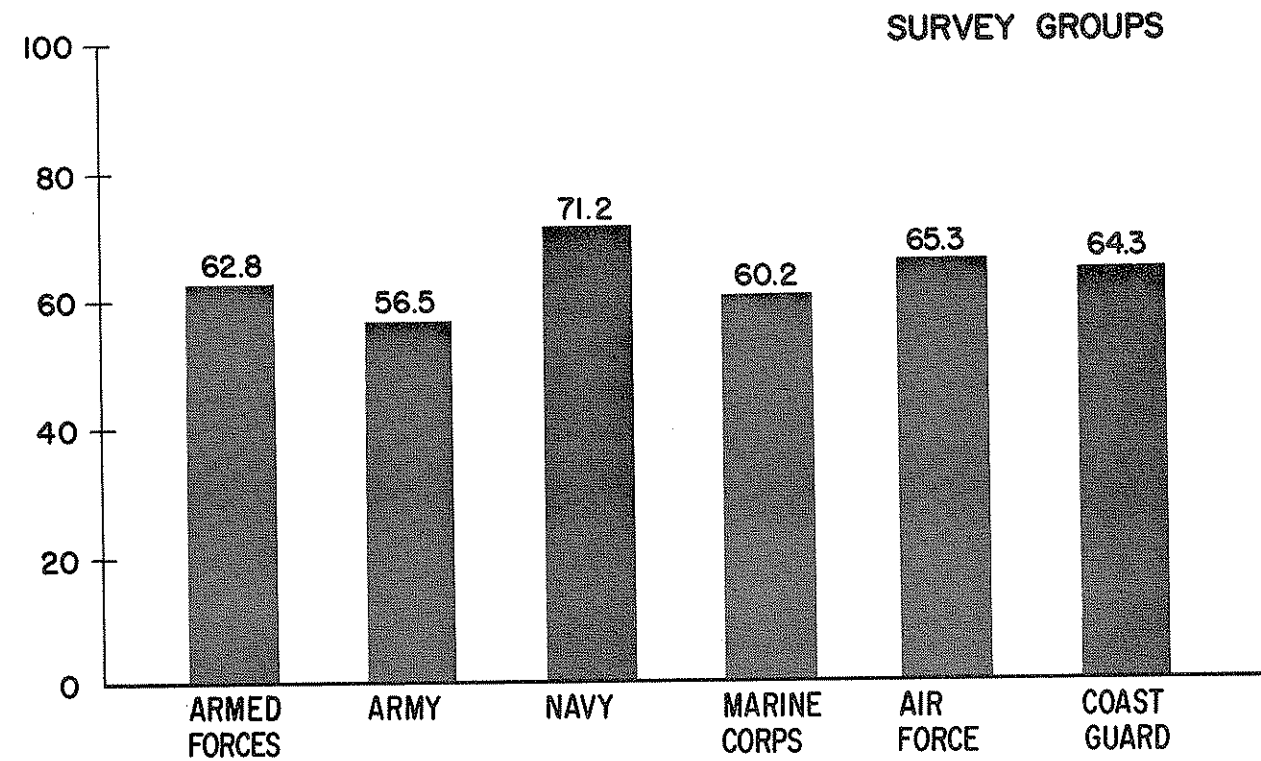
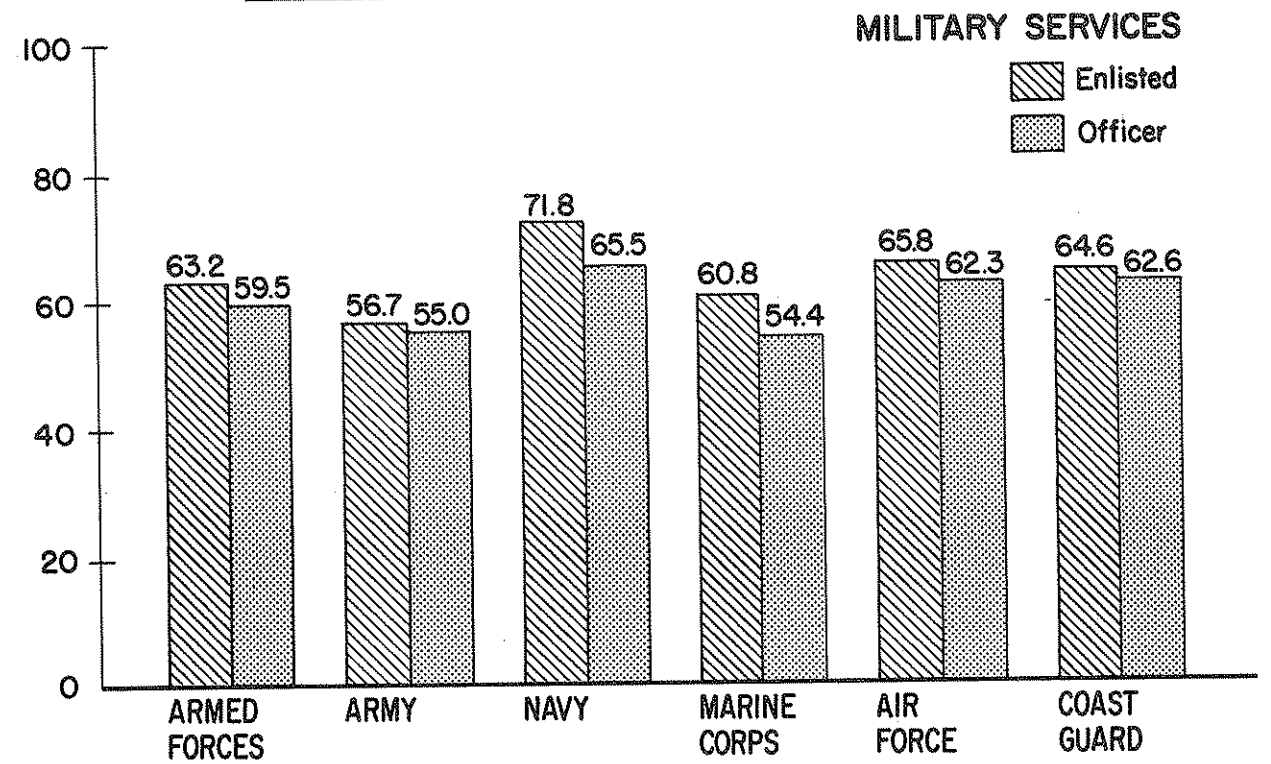


FIGURE IV-7. Non-Voters Response To Query About Candidates / Issues

Was the fact that you were not interested in the election a reason in your decision not to vote ?
(Affirmative answers.)

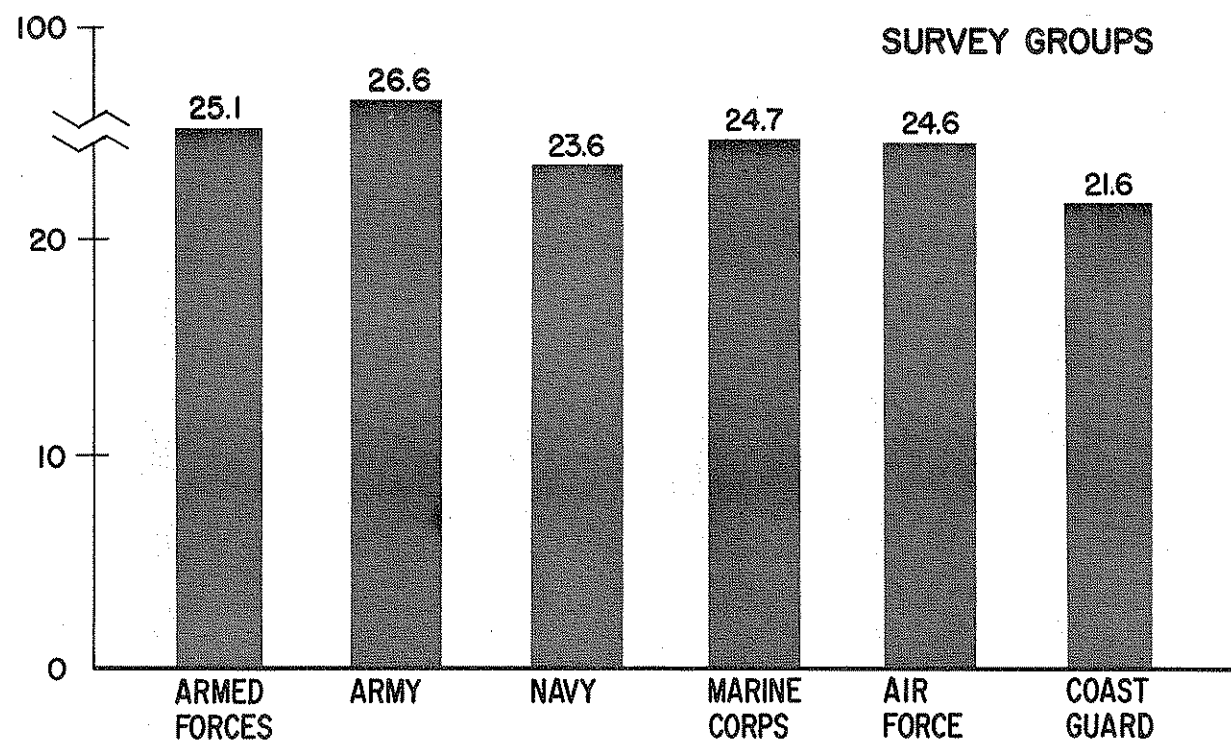
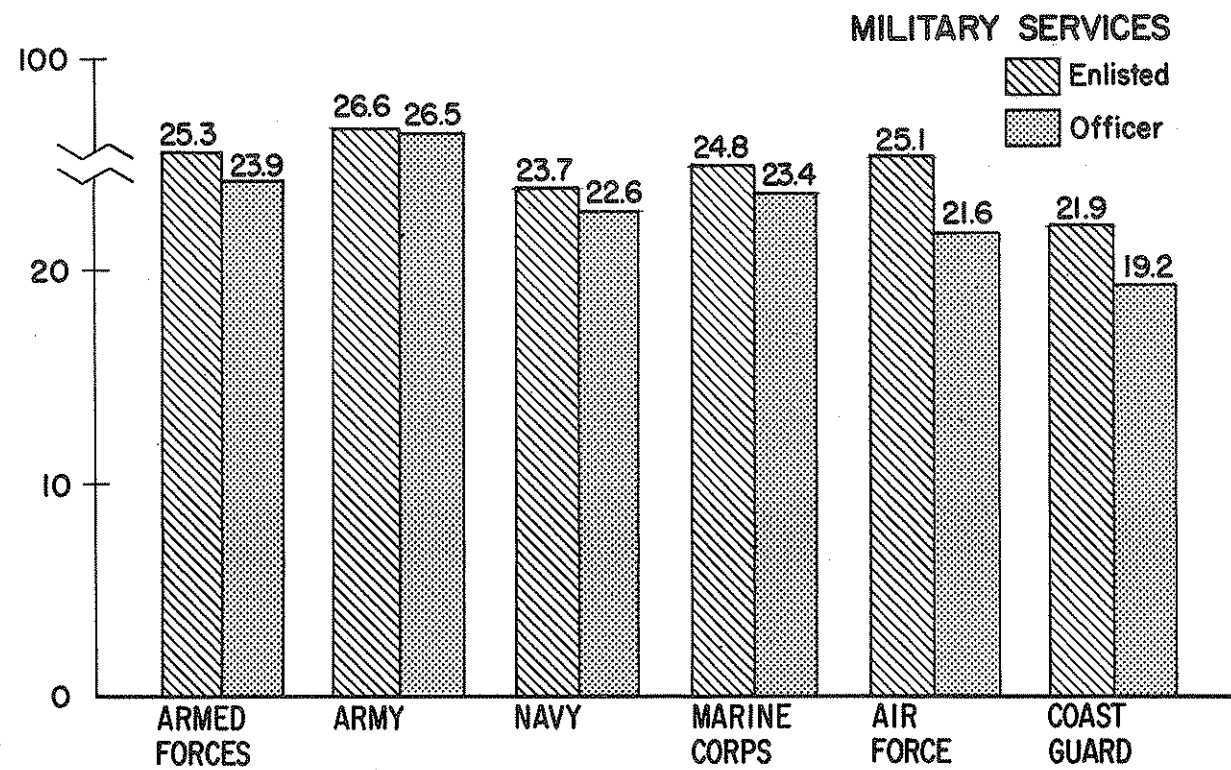


FIGURE IV-8. Non-Voters Response To Query About Interest In Electi

Was the fact that you were unable to register in person a reason for your not voting ?
(Affirmative answers.)

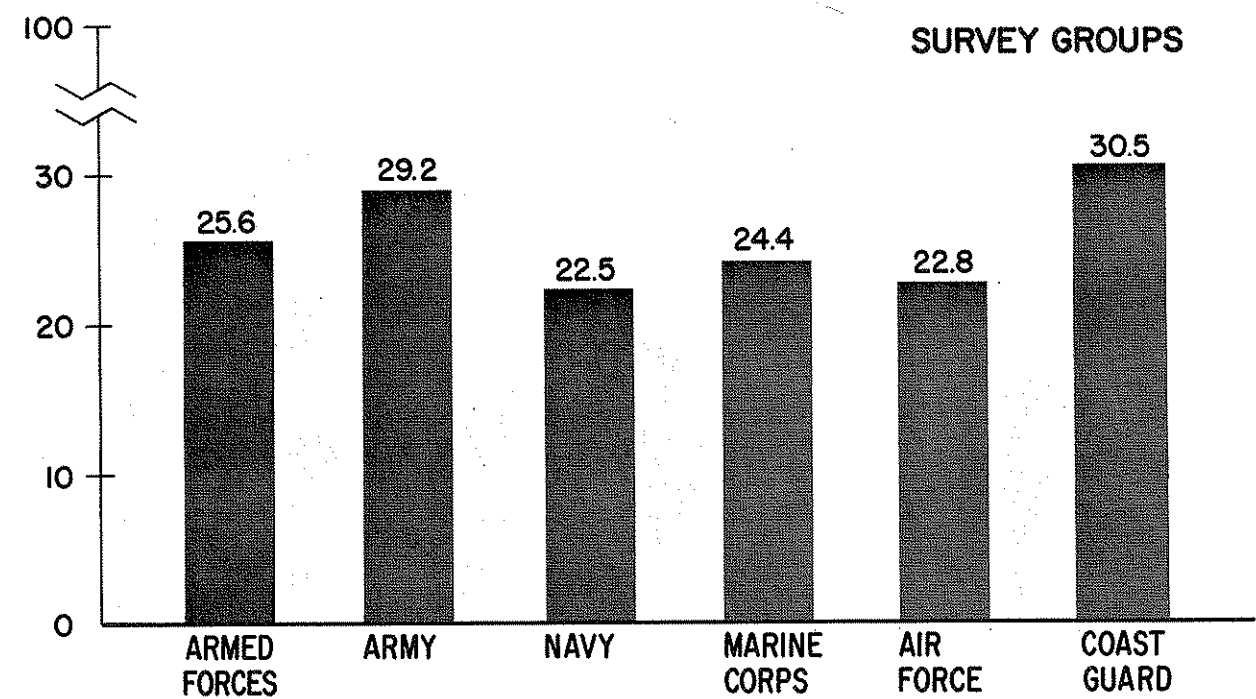
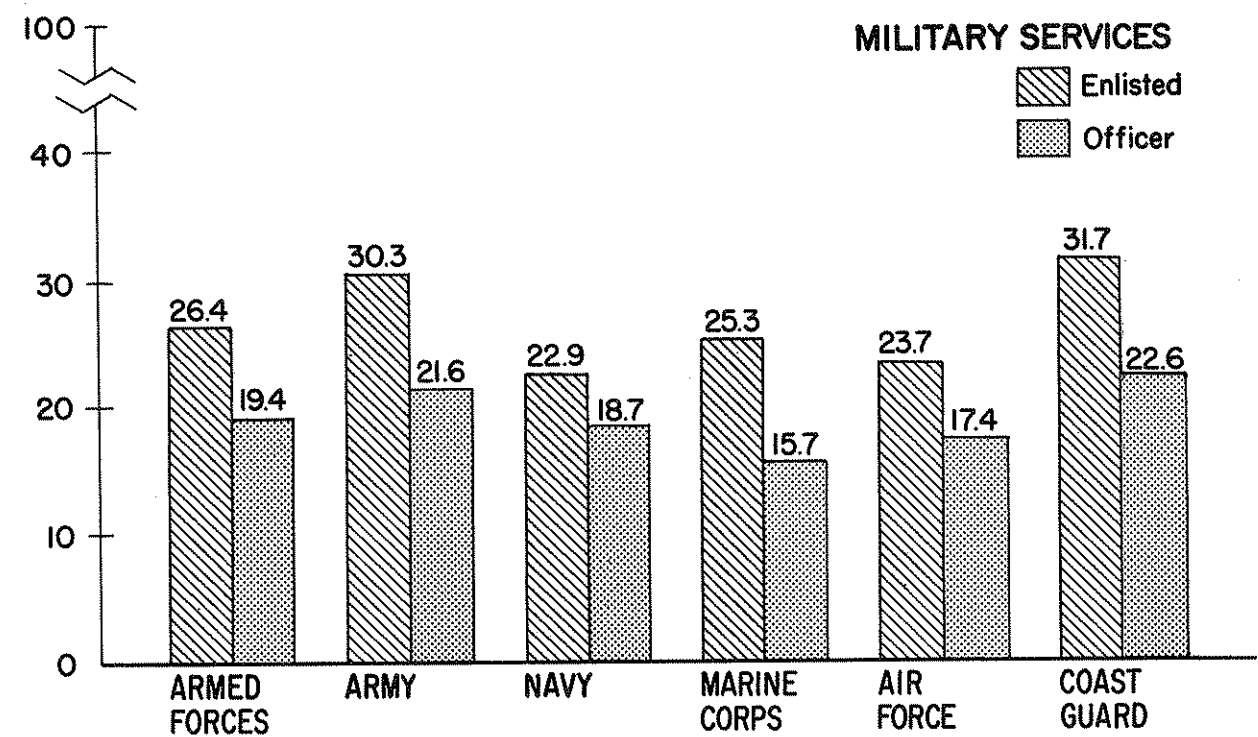


FIGURE IV-9. Non-Voters Response To Query About Voting in Person

Section V

OTHER ABSENTEE VOTING INFORMATION

Information of the Federal Voting Assistance Program not covered elsewhere in this report is the subject matter for this section.

Specifically, the following will be discussed:

- (1) The Department of Defense voting assistance program,
- (2) The problem of reaching citizens, not employed by the Federal government, who are residing temporarily abroad,
- (3) The addition of new numbers to the list of absent voters with ratification of the 26th Amendment to the Constitution,
- (4) The amendments to the Voting Rights Act of 1965,
- (5) The use of the free postal privilege for the mailing of absentee voting materials, and
- (6) Proposed model legislation for State implementation of the Act.

DEPARTMENT OF DEFENSE VOTING ASSISTANCE PROGRAM

Servicemen in uniform, their spouses, and their dependents comprise the majority of persons covered by the Act---more than 70% of the total, by last count. The plan to reach these individuals with information concerning eligibility, absentee voting procedures, election candidates, election issues and election dates is an important and a responsible one.

To meet that responsibility, the Department of Defense promulgates overall policy guidance for the Armed Forces, with each of the Military Departments implementing this guidance in a specific, detailed program. (It must be remarked, at this point, that the other Federal agencies and departments also have their own programs. In one instance, in an agency where the number of overseas employees is small, the program encompasses personal correspondence to each and every individual in the agency who is stationed overseas.)

To reach the serviceman, his spouse, and his dependents, the Military Services:

(1) Name individuals at unit level to counsel, advise, and assist these persons in the procedures and requirements for obtaining and casting an absentee ballot.

(2) Distribute Voting Information - 197(), a pamphlet summarizing absentee voting information concerning 54 States and Territories. In 1970, 429,000 copies of this pamphlet were distributed, to include copies to other agencies and departments outside the Department of Defense, for use in their voting assistance programs.

(3) Provide orientation classes, information films, and voting posters to publicize voting information and the importance of voting.

(4) Use printed media, both Service and non-Service, to disseminate feature stories and news articles concerning elections and other voting information. Publications carrying these features and news articles in 1970 included 1,800 base and post newspapers, Stars and Stripes overseas, Army, Navy, and Air Force Times, and Commanders Digest, a Service periodical with worldwide distribution.

(5) Broadcast radio and television messages concerning voting to personnel stationed overseas. Some 440 outlets of American Forces Radio and Television Service were used in 1970 for this purpose. In election years, messages are beamed daily. In the United States, public service spots are aired by civilian radio stations, encouraging men and women in uniform and their dependents to vote and advising relatives and friends of service personnel stationed away from their home State to assist these service personnel by mailing them election information.

(6) Invite command emphasis in the field to the voting assistance program. Field commanders utilize their own resources to publicize and encourage voting participation.

(7) Observe Armed Forces Voters Day, in September of election years, to publicize the voting effort. In 1970, this day was marked at the Pentagon by a ceremony attended by the Secretary of Defense, all of the Military Service Chiefs, and other distinguished guests. Simpler ceremonies were held at military installations and aboard ships at sea.

(8) Deliver into the hands of every eligible voter in military service a Federal Post Card Application by August 15 if he is outside the territorial limits of the United States or by September 15 if he is within the country.

THE U.S. CITIZEN RESIDING ABROAD

A 1968 amendment to the Act broadened coverage of U.S. citizens residing temporarily outside the territorial limits of the United States. The amendment recommended to the States that all U.S. citizens temporarily residing abroad be allowed to vote by the absentee process in their States of legal residence. The original Act recommended this coverage only for U.S. citizens employed by the Federal government or by religious groups or welfare agencies officially serving with the Armed Forces, and the spouses and dependents residing with or accompanying these persons.

The amendment therefore added a whole new group of individuals---those outside service with the U.S. Federal government---to the ranks of persons who need to be furnished voting information and assistance. The problem of identifying and contacting this new group became apparent when plans were being drawn up for the survey detailed in Section IV. No comprehensive plan for surveying the new group, to determine the group's voting needs and habits, was devised.

Some data on this category of personnel is being obtained from the Bureau of the Census, although it will not be received in time to include it in this report. The data, when received, quite probably will not satisfy all of the requirements for voting-oriented information and data concerning this category of absentee voter. It should do much, however, when related to data from other sources, to help identify and locate the members of the group.

As a matter of record, in 1970 the Department of State furnished informational, procedural, and materials support and assistance to U.S. citizens residing abroad, through its consulates and embassies.

THE 26TH AMENDMENT ADDS NEW VOTERS

Some 11 million young Americans became eligible to vote on the last day of June 1971.

On that day, the Ohio Legislature became the 38th State to ratify the 26th Amendment to the Constitution and citizens 18 years of age were eligible to vote. A few days later official ceremonies at the White House marked the certification of this amendment as the latest addition to the "supreme law of the land."

Some of the 11 million young Americans enfranchised by the 26th Amendment come within the provisions of the Act and, therefore, within the provisions of the laws of those States which have adopted its recommendations.

While all young Americans should be able to vote by absentee process, there is a distinct difference in the applicable procedures entitling them to vote and concerning the elections in which they will be able to vote.

For those young Americans serving in the military (in March of 1971 there were approximately 675,000 18- to 20-year-olds in uniform, out of a total of 2.8 million Armed Forces personnel), they will be able to vote under the procedures already established by all of the States pursuant to the Act. For those young Americans not serving in the Armed Forces, but coming within the coverage of the Act (for example, dependents of members of the Armed Forces), they will be able to vote by absentee process and by utilizing the FPCA if their States of legal residence have fully adopted the recommendations of the Act.

For those young Americans who come within the provisions of the Act, but whose State of legal residence has not included them within their implementation of the Act, and for those young Americans not coming under its provisions, they will have to rely on whatever other provisions for absentee registration and absentee voting that their State has provided. At the very least, they should be able to register and vote by absentee process in their State for elections for President and Vice President, pursuant to the 1970 amendments of the Voting Rights Act of 1965.

The total number of young Americans who were enfranchised by the 26th Amendment and who also come within the provisions of the Act cannot be precisely pinpointed at this time; but they enlarge the ranks of those who must be reached by voting assistance programs now in progress. They constitute, in short, a new element in the absent voters group which merits special attention.

IMPACT OF THE 1970 AMENDMENTS TO THE VOTING RIGHTS ACT OF 1965

In 1970 Congress made significant changes to the Voting Rights Act of 1965 which have a significant impact on the Federal Voting Assistance Act of 1955, as amended. The Voting Rights Act Amendments provide the following new rules:

Durational Residency---Any person otherwise qualified to vote, and who has resided in a State for at least 30 days prior to the election, is now permitted to register or qualify to vote in a Presidential election in that State. Also, an otherwise qualified person who changes his residence within 30 days of the election is to be permitted to vote, in person or by absentee ballot, in the State from which he moved if he is not eligible to vote in his new location.

Absentee Registration---Each State is to provide for absentee registration for persons otherwise qualified to vote by absentee ballot in a Presidential election.

Absentee Balloting---Each State is to provide for the casting of absentee ballots in a Presidential election by any qualified resident who is absent on election day and who applies for an absentee ballot at least 7 days prior to the day of election and who returns the ballot by the time the polls are closed.

While there is some degree of overlap between the Federal Voting Assistance Act of 1955, as amended, and the Voting Rights Act Amendments of 1970, the following important distinctions are noted:

Voters---The Federal Voting Assistance Act of 1955, as amended, cover only three categories of persons, as previously explained in this Report. The Voting Rights Act Amendments of 1970 cover all voters, no matter who they are or where they happen to be in the world.

Issues and Officers to be Elected---The Voting Rights Act Amendments of 1970 only apply in voting for the office of President and Vice President, whereas the Federal Voting Assistance Act of 1955, as amended, recommends voting for all offices, national and State, and all issues needing voter approval.

Absentee Voting Procedure---The Federal Voting Assistance Act of 1955, as amended, recommends a simplified procedure for absentee registration and absentee voting, keyed to the use of a Federal Post Card Application, which goes free of postage in the U.S. mail. The Voting Rights Act Amendments of 1970 provide no procedure other than requiring the States to establish an absentee registration and voting procedure.

Required Implementation---The Federal Voting Assistance Act of 1955, as amended, requests that the States take administrative or legislative action to implement its provisions, whereas the Voting Rights Act Amendments of 1970 are applicable in all the States regardless of what a particular State law may provide.

THE FREE POSTAGE PRIVILEGE OF THE ACT

Section 302 of the Act provides that official post cards, ballots, voting instructions and envelopes which are referred to in the Act "shall be free of postage, including air-mail postage, in the United States mails." Accordingly, State election officials may mail by free postage their official election material, which has included special forms for requesting applications for registration and/or absentee ballots and the applications themselves, to all the categories of persons mentioned in the Act.

To take advantage of the free postage provision, State election officials comply with recommendation seven of the Act. This recommendation prescribes the design features of the envelopes to be used and generally requires that the envelopes have two parallel horizontal red bars, each one-quarter of an inch wide, with an intervening space of one-quarter inch. In the intervening space are printed the words "Official Election Balloting Material---via Air Mail." In the upper right hand corner of the envelope, in a box, are printed the words "Free of U.S. Postage, Including Air Mail."

The applicant who uses the Federal Post Card Application and the envelope provided him by the State of his voting residence is also allowed to take advantage of the free postage provision. To insure postage free mailing of his official election material, the applicant must use the U.S. mails. While this is no problem for those persons in the United States or its territories, individuals overseas should mail their Federal Post Card Application or other official election material at an Armed Forces postal facility, if authorized, or at a U.S. embassy. If not mailed at such designated places, the material may not be allowed to be sent free of postage.

MODEL LEGISLATION SUGGESTED BY DEPARTMENT OF DEFENSE

The Department of Defense has received the assistance and cooperation of the Council of State Governments in making available to all the States suggested model legislation on absentee voting.

The Council of State Governments will publish a compendium of suggested model legislation for consideration by the legislatures of the States. The proposed model legislation will incorporate all the recommendations of the Act. The Council will also advise the States where they can make requests for help or get answers to questions concerning the model legislation.

Public Law 296 - 84th Congress
Chapter 656 - 1st Session
H. R. 4048

AN ACT

All 69 Stat. 584.

Making recommendations to the States for the enactment of legislation to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Federal Voting Assistance Act of 1955".

The Federal
Voting As-
sistance Act
of 1955.

TITLE I

RECOMMENDATIONS OF THE CONGRESS TO THE SEVERAL STATES

SEC. 101. The Congress hereby expresses itself as favoring, and recommends that the several States take, immediate legislative or administrative action to enable every person in any of the following categories who is absent from the place of his voting residence to vote by absentee ballot in any primary, special, or general election held in his election district or precinct, if he is otherwise eligible to vote in that election:

Absentee
ballot.

(1) Members of the Armed Forces while in the active service, and their spouses and dependents.

(2) Members of the merchant marine of the United States, and their spouses and dependents.

(3) Civilian employees of the United States in all categories serving outside the territorial limits of the several States of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil-service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

63 Stat. 954.
5 USC 1071
note.

(4) Members of religious groups or welfare agencies assisting members of the Armed Forces, who are officially attached to and serving with the Armed Forces, and their spouses and dependents.

SEC. 102. To afford ample opportunity for persons covered by section 101 of this Act to vote for Federal, State, and local officials and to use the absentee balloting procedures to the greatest extent possible, it is recommended that each of the several States—

Procedures.

(1) accept as applications for absentee ballots under such States' absentee balloting laws, as applications for registration under such States' election laws, and as sources of information to implement State absentee balloting laws, the form of post card (when duly executed by a person covered by section 101 of this Act) provided pursuant to this Act;

(2) waive registration of persons covered by section 101 of this Act, who, by reason of their service, have been deprived of an opportunity to register;

(3) accept the post card application provided pursuant to this Act as a simultaneous application for registration and for ballot;

(4) if a special application is required for registration by mail, provide that the necessary forms will be sent with the absentee ballot and may be returned with it;

(5) make provision for persons eligible to register and qualified to vote, who have been honorably discharged from the Armed Forces, or have terminated their service or employment, too late to register at the time when, and at the place where, registration is required, to vote at the election next ensuing after such discharge or termination.

(6) authorize and instruct the State or local election officials, upon receipt of the post card application provided pursuant to this Act, to mail immediately to the applicant a ballot, instructions for voting and returning the ballot, and a self-addressed envelope;

(7) provide that there be printed across the face of each envelope in which a ballot is sent two parallel horizontal red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be one and one-quarter inches from the top of the envelope, and with the words "Official Election Balloting Material—via Air Mail", or similar language, between the bars; that there be printed in the upper right corner of each such envelope, in a box, the words "Free of U. S. Postage, Including Air Mail"; that all printing on the face of each such envelope be in red; and that there be printed in red in the upper left corner of each State ballot envelope an appropriate inscription or blanks for return address of sender;

(8) provide that the gummed flap of the State envelope supplied for the return of the ballot be separated by a wax paper or other appropriate protective insert from the remaining balloting material and that there be included in State voting instructions a procedure to be followed by absentee voters, such as notation of the facts on the back of the envelope duly signed by the voter and witnessing officer, in instances of adhesion of the balloting material;

(9) reduce in size and weight of paper, as much as possible, envelopes, ballots, and instructions for voting procedure;

(10) for the purposes of this Act, authorized oaths required by State law to be administered and attested by any commissioned officer in the active service of the Armed Forces, or any member of the merchant marine of the United States designated for this purpose by the Secretary of Commerce, or any civilian official empowered by State or Federal law to administer oaths;

(11) include in State voting instructions express information concerning the type or types of writing instruments which may be used to mark the absentee ballot, preferably pen or indelible pencil; and

(12) provide that absentee ballots will be available for mailing to the applicant as soon as practicable before the last date on which such ballot will be counted.

Statistical
data.

Sec. 103. It is recommended that each of the several States make available to the officer designated by the President under section 201 of this Act appropriate statistical data to assist him in compiling comprehensive information of operations under this Act.

TITLE II

FEDERAL RESPONSIBILITIES

Presidential
designee.

Sec. 201. The President is hereby authorized to designate, with provision for redelegation, the head (hereinafter referred to as the Presidential designee) of any executive department or agency to coordinate and facilitate such actions as may be required to discharge Federal responsibilities under this Act. The Presidential designee is authorized to request from other executive departments and agencies such assistance as he deems necessary to effectuate the purposes of this Act, and shall submit a report to the President and to the Congress in odd-numbered years. Such report shall cover the administration of Federal responsibilities authorized under this title, the progress of the States in carrying out the recommendations contained in title I, sta-

Report.

tistical data relating to absentee voting, and such other information as the Presidential designee may consider appropriate.

Sec. 202. The Presidential designee shall request, annually or more often when appropriate, each State to furnish him with current information for absentee voting information for such State. Such information shall include election dates, officers to be elected, constitutional amendments, and other proposals to be voted on, absentee registration and voting procedures, and other relevant data. As soon as possible after receipt of such information, he shall furnish it to the departments and agencies of the executive branch affected by this Act. Such departments and agencies are authorized to reprint and distribute such information to the extent necessary.

Sec. 203. All Government officials shall, to the extent practicable and compatible with their primary responsibilities, cooperate with the Presidential designee in carrying out the purposes of this Act. All such officials shall, as far as practicable, take all reasonable measures to expedite, transmit, deliver, and return post cards, ballots, envelopes, and instructions for voting procedures mailed to or by persons to whom this Act is applicable. In addition, and as requested by the Presidential designee, it shall be the duty of—

(1) the Attorney General to cooperate and advise with the Council of State Governments in the formulation of drafts of State legislation designed to implement the recommendations for State action contained in this Act;

(2) the Administrator of General Services to cause to be printed and distributed post cards for use in accordance with the provisions of this Act. Such post cards shall, wherever practicable and compatible with other operations, be made available by the department or agency concerned to persons to whom this Act is applicable for use at any general election at which electors for President and Vice President or Senators and Representatives are to be voted for. For use in such elections post cards shall be made available outside the territorial limits of the United States not later than August 15 prior to the election and within the territorial limits of the United States not later than September 15 prior to the election. To the extent practicable and compatible with other operations, post cards shall also be made available at appropriate times to such persons for use in other general, primary, and special elections; and

(3) the Postmaster General and the heads of the departments and agencies concerned, where practicable and compatible with their operations, to facilitate the transmission of balloting material to and from persons to whom this Act is applicable. Ballots executed outside the United States by persons to whom this Act is applicable shall be returned by priority airmail wherever practicable, and such mail may be segregated from other forms of mail and placed in special bags marked with special tags printed and distributed by the Postmaster General for this purpose.

Sec. 204. The form of the Federal post card application shall be as follows:

(a) The cards shall be approximately nine and one-half by four and one-eighth inches in size.

(b) Upon one side, perpendicular to the long dimension of the card, there shall be printed in black type the following:

FILL OUT BOTH SIDES OF CARD

POST CARD APPLICATION FOR ABSENTEE BALLOT

State or Commonwealth of _____ (Fill in name of State or Commonwealth)

(1) I hereby request an absentee ballot to vote in the coming election:
(GENERAL) (PRIMARY)* (SPECIAL) ELECTION
(Strike out inapplicable words)

(2) * If a ballot is requested for a primary election, print your political party affiliation or preference in this box: _____
(If primary election is secret in your State, do not answer)

(3) I am a citizen of the United States, eligible to vote in above State, and am:

a. A member of the Armed Forces of the United States _____

b. A member of the merchant marine of the United States _____

c. A member of a religious or welfare organization assisting servicemen _____

d. A civilian employed by the United States Government outside the United States (continental) _____

e. A spouse or dependent of a person listed in (a), (b), or (c) above _____

f. A spouse or dependent residing with a person described in (d) above _____

(4) I was born on _____ (Day) _____ (Month) _____ (Year)

(5) For _____ years preceding the above election my home (not military) residence in the above State has been _____
(Street and number or rural route, etc.)
The voting precinct or election district for this residence is _____
(Enter if known)

(6) Remarks: _____

(7) Mail my ballot to the following official address: _____
(Unit (Co., Sq., Trp., Bn., Etc.), Governmental Agency, or Office)
(Military Base, Station, Camp, Fort, Ship, Airfield, etc.)
(Street No., APO, or FPO No.)
(City, Postal Zone, and State)

(8) I am NOT requesting a ballot from any other State and am not voting in any other manner in this election, except by absentee process, and have not voted and do not intend to vote in this election at any other address.

(9) _____
(Signature of person requesting ballot)

(10) _____
(Full name, typed or printed, with rank or grade, and service number)

(11) Subscribed and sworn to before me on _____ (Day, month, and year)
(Signature of official administering oath) (Typed or printed name of official administering oath)
(Title or rank, service number, and organization of administering official)

INSTRUCTIONS

- A. Before filling out this form see your voting officer in regard to the voting laws of your State and absentee registration and voting procedure.
- B. Type or print all entries except signatures. FILL OUT BOTH SIDES OF CARD.
- C. Address card to proper State official. Your voting officer or commanding officer will furnish you his title and address.
- D. Mail card as soon as your State will accept your application.
- E. NO postage is required for the card.

(c) Upon the other side of the card there shall be printed in red type the following:

FILL OUT BOTH SIDES OF THE CARD

----- (Name) -----	----- FREE OF U. S. Postage Including Air Mail -----
----- (Unit, Gov. Agency, or Office) -----	
----- (Mil. Base, Station, Ship or Office) -----	
----- (Street No., APO, or FPO No.) -----	
----- (City, Postal Zone, State) -----	

OFFICIAL ELECTION BALLOTING MATERIAL--VIA AIR MAIL

To: -----
(Title of Election Official)

(County or Township)

(City or Town, State)

SEC. 205. The previously authorized Federal post card form shall be utilized prior to and in connection with the election for Members of Congress next ensuing after the date of enactment of this Act, and the Presidential designee shall initiate action to make such forms available to departments and agencies having a need therefor. Thereafter only the post card form authorized in this Act shall be utilized.

TITLE III

DEFINITIONS AND MISCELLANEOUS PROVISIONS

SEC. 301. As used in this Act--

(1) The term "Armed Forces" means the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat. 804), as amended.

(2) The term "members of the merchant marine of the United States" means persons (other than members of the Armed Forces) employed as officers or members of crews of vessels documented under the laws of the United States, or of vessels owned by the United States, or of vessels of foreign-flag registry under charter to or control of the United States, and persons (other than members of the Armed Forces) enrolled with the United States for employment, or for training for employment, or maintained by the United States for emergency relief service, as officers or members of crews of any such vessels; but does not include persons so employed, or enrolled for such employment or for training for such employment, or maintained for such emergency relief service, on the Great Lakes or the Inland waterways.

(3) The term "dependent" means any person who is in fact a dependent.

SEC. 302. Official post cards, ballots, voting instructions, and envelopes referred to in this Act, whether transmitted individually or in bulk, shall be free of postage, including air-mail postage, in the United States mails.

SEC. 303. Every individual concerned with the administration of this Act shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast.

Acts in good faith, etc. Sec. 304. No act done in good faith under this Act by a person serving in or with the Federal or military service of the United States in the exercise of his judgment as to what was practicable and compatible with military, merchant marine, or other Federal governmental operations, shall constitute a violation of any provision of law relating to the elective franchise.

Sec. 305. It shall be unlawful for any commissioned, noncommissioned, warrant, or petty officer in the Armed Forces (1) to attempt to influence any member of the Armed Forces to vote or not to vote for any particular candidate, or (2) to require any member of the Armed Forces to march to any polling place or place of voting, but nothing in this Act shall be deemed to prohibit free discussion regarding political issues or candidates for public office.

Separability. Sec. 306. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Repeal. Sec. 307. The Act entitled "An Act to provide for a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence", approved September 16, 1942 (56 Stat. 753), as amended, is repealed.

50 USC 301-355. Appropriation. Sec. 308. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act.

Approved August 9, 1955.



Public Law 90-343
90th Congress, S. 2884
June 18, 1968

An Act

To amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 of the Federal Voting Assistance Act of 1955 (50 U.S.C. 1451) is hereby amended by striking out paragraphs (3) and (4) and inserting in lieu thereof a new paragraph (3) as follows:

"(3) Citizens of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them."

SEC. 2. Section 204(b) of the Federal Voting Assistance Act of 1955 (50 U.S.C. 1464) is hereby amended by striking out subparagraphs (3) c., d., e., and f. and inserting in lieu thereof new subparagraphs (3) c., d., and e. as follows:

"c. A citizen of the United States temporarily residing outside of the territorial limits of the United States and the District of Columbia

"d. A spouse or dependent of a person listed in (a) or (b) above

"e. A spouse or dependent residing with or accompanying a person described in (c) above".

Approved June 18, 1968.

Absentee
voting.
69 Stat. 584.
82 STAT. 180
82 STAT. 181

Post card
application.

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☐
☐



Public Law 90-344
90th Congress, S. 1581
June 18, 1968

An Act

To amend the Federal Voting Assistance Act of 1955 (69 Stat. 584).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Voting Assistance Act of 1955 (69 Stat. 584) is amended as follows:

(1) Clause (10) of section 102 is amended to read as follows:

"(10) for the purposes of this Act, authorize oaths required by State law to be administered and attested by any commissioned officer in the active service of the Armed Forces, any member of the merchant marine of the United States designated for this purpose by the Secretary of Commerce, the head of any department or agency of the United States, any civilian official empowered by State or Federal law to administer oaths, or any civilian employee designated by the head of any department or agency of the United States."

(2) The following new section is inserted after section 103:

"Sec. 104. It is recommended that each of the several States permit any person covered by section 101(1) of this Act who is otherwise fully qualified to register and vote in the State to acquire legal residence in that State, notwithstanding his residence on a military installation, and to register and vote in local, State, and national elections."

(3) Clause (2) of section 203 is amended to read as follows:

"(2) the Administrator of General Services to cause to be printed and distributed post cards for use in accordance with the provisions of this Act. Such post cards shall be delivered by the department or agency concerned to persons to whom this Act is applicable for use at any general election at which electors for President and Vice President or Senators and Representatives are to be voted for. For use in such elections, post cards shall be in the hands of the persons concerned not later than August 15 before the election if they are outside the territorial limits of the United States and not later than September 15 before the election if they are inside the territorial limits of the United States. To the extent practicable and compatible with other operations, post cards shall also be made available at appropriate times to such persons for use in other general, primary, and special elections; and"

(4) Clause (b) of section 204 is amended by amending item (5) of the Federal post card application to read as follows:

"(5) For ---- years preceding the above election my home (not military) residence in the above State has been-----
(Street and number or rural route, etc.)

In the county or parish of ----- The voting precinct or election district for this residence is-----
(Enter if known)"

(5) Clause (b) of section 204 is amended by amending item (7) of the Federal post card ballot to read as follows:

"(7) Mail my ballot to the following official address:

For those assigned in the U.S.:

(Unit (Co., Sq., Trp., Bn., etc.), Govt. Agency, or Office)

(Military Base, Station, Camp, Fort, Ship, Airfield, etc.)

For those assigned elsewhere:

(APO or FPO number)

Federal Voting Assistance Act. of 1955, amendment. Oaths. 50 USC 1452.

50 USC 1453. Personnel residing on military installations. 50 USC 1451.

Administrative responsibility. 50 USC 1463.

82 STAT. 181
82 STAT. 182

Federal post card application. 50 USC 1464.

June 18, 1968

82 STAT. 182

69 Stat. 588.
50 USC 1464.

(6) Clause (c) of section 204 is amended to read as follows:
“(c) Upon the other side of the card there shall be printed in red type the following:

FILL OUT BOTH SIDES OF THE CARD

----- ----- ----- -----	FREE of U.S. Postage Including Air Mail
	Official Mailing Address

OFFICIAL ELECTION BALLOTING MATERIAL—VIA AIR MAIL

To: -----
 (Title of Election Official)

 (County or Township)

 (City or Town, State)

Approved June 18, 1968.